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WITH THE PASSAGE, in eighty-four hours and twenty-one minutes, of forty-four bills in the Louisiana Legislature—or less than two hours per bill—Senator Huey Long has made himself dictator of his State. He controls every State board of any importance, a State civil service commission, and a State bar association which will pass on the fitness of lawyers to practice; and his debt-moratorium law ties up the banks and other financial institutions so effectively that their control, too, is substantially in the Senator's hands. Having captured his State, Mr. Long now comes out into the open and announces himself a candidate for the Presidency in 1936, on an anti-New Deal program supported by "plain, honest, thinking men." Since he persists in making himself a clown at every opportunity, it is easy to think of the Senator from Louisiana as simply a joke, albeit a singularly bad one. But his qualities as a demagogue, his windy oratory, his energy, and his steam-roller tactics make him a threat as well, not to "thinking" men, in spite of his predictions, but to the mob for whom demagoguery, when it promises them a heaven on earth, carries a note of conviction. Unfortunately, all the simple-minded illiterates in the country do not live in Louisiana. And plenty of them in other States might be induced to listen to the Long promises of a model government for the plain people. It is doubtful if even the unconquerable Huey regards his chances in 1936 as very high; it is the duty—and cannot fail to be also the pleasure—of thinking men to see that they are no higher at any later date.

THOUGH FRANCIS B. BIDDLE, the new chairman of the National Labor Relations Board, is a corporation lawyer among whose clients one can find many anti-union big-business enterprises, he has an encouraging record of liberalism and has specifically pledged himself to hew to the line laid down by Mr. Garrison, his predecessor. There is no reason to fear that the board will retreat from its established principles— majority rule, recognition of freely chosen representative labor organizations, exertion of every reasonable effort to make and maintain collective agreements. However, it no longer seems to matter much what particular individuals are chosen to constitute the board, or what particular doctrines it announces. For it has long since bogged down in the same morass in which the Wagner board sank from sight—its inability to enforce the obligations of the statute. Within the past week, to illustrate, the B. M. T. has defied the board's authority, Mr. Hearst has denied its jurisdiction, and the Ely and Walker Drygoods Company has gone into the federal courts to enjoin the NRA from removing its Blue Eagle on the board's recommendation. Far more important than the board's immediate future as an instrument of moral suasion is the question of bringing Congress to enact new legislation covering labor relations. Such legislation should clarify the purposes of Section 7-a beyond any possibilities of further legal quibbling, and should bring into being genuine and effective enforcement machinery. This will be the test of how far, if at all, the Administration has swung away from the NRA's original vision of collective bargaining.

THE APPOINTMENT of Josephine Roche as Assistant Secretary of the Treasury in charge of public health cannot be too highly commended. The most enlightened employer in the State of Colorado, Miss Roche has shown throughout her management of the Rocky Mountain Fuel Company a sense of social justice and of responsibility to her workers which have made her beloved by all the company's employees, and a force to be reckoned with in all labor problems in the State of Colorado. The Associated Press sees in Miss Roche's appointment a confirmation of that policy which would retain in the Children's Bureau its maternal and infant-health activities, which have been so bitterly opposed by many physicians as leading toward state medicine and perhaps as foreshadowing the retirement of Surgeon-General Hugh S. Cummings of the Public Health Service. We hope that this interpretation of Miss Roche's appointment is correct. But whether it is or not, the President could hardly have chosen anyone better fitted for the position by a life of devoted service to the social welfare.

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WE HEARTILY WELCOME the two proposals which have been made recently for the regulation and control of the munitions industry. President Roosevelt's plan for an international agreement, drawn up by the Disarmament Conference, whereby each country pledges itself to license the manufacture, export, and import of arms and to give full publicity to all arms transactions would undoubtedly eliminate many of the evils revealed at the Washington investigation. Even more helpful would be Lammot du Pont's scheme for limiting all business profits in time of war. But it is obvious that even these remedies are inadequate. Mussolini, for example, has ground for fearing that the licensing plan will lead to an expansion of the armament industry in countries not now manufacturing munitions. Moreover, the mere limitation of profits is not likely to discourage new industries from arising, possibly with the same ownership, to share in the gigantic opportunities presented by war sales. We know of no cure of the armament evil short of the absolute abolition of the industry. But if that be regarded as too utopian, we believe that the complete confiscation of war-time profits, irrespective of the location of the war, might be helpful. It is high time that trafficking in death should cease to be a remunerative occupation.

PARAGUAY'S SWEEPING VICTORY at Fort Ballivian appears to spell premature doom to the League of Nations' latest effort to end the Chaco conflict. The proposals of the League committee are distinguishable from previous plans chiefly by increased cumbersomeness. Upon their acceptance by both parties a new commission of six is to be established to supervise arrangements for the truce. Each of the belligerents is then expected to fall back fifty kilometers, leaving a neutral zone which is to be policed by troops from neighboring states. Within a month after the cessation of hostilities peace negotiations are to be opened at Buenos Aires, attended by neutral countries as well as by the belligerents themselves. Elaborate provisions are made for further arbitration by the League or the World Court in case direct negotiations fail. Unfortunately, however, the flaws in the plan appear irremediable. Both Paraguay and Bolivia have indicated their opposition to another truce unless they can be assured of a permanent settlement favorable to their interests. Moreover, it is unlikely that any neutral can be found willing to police the disputed territory. So the war will continue to drag on with neither country in a position to score a complete triumph, and the League will have failed once more because of its unwillingness to enforce the articles of the Covenant.

THAT THE RESPONSIBLE LEADERSHIP of the country recognizes the need for international cooperation was indicated at the recent hearings conducted by the Commission of Inquiry on National Policy in International Economic Relations, headed by President Hutchins of the University of Chicago. Meeting in several cities in different parts of the country, the commission heard business men, economists, and spokesmen for agriculture and labor, and found an overwhelming majority convinced that the key to prosperity lay in the expansion of foreign trade. The majority also favored restoring the gold standard and canceling the war debts. Sentiment in favor of a high tariff was found to be considerably weakened, although it was strong enough to constitute a serious obstacle to carrying out the program suggested. While at first sight these observations seem encouraging, it is not clear what kind of internationalism the committee actually favors. Is it the imperialistic program of the Republican Party from McKinley to Hoover or the traditional low-tariff policy advocated by Secretary Hull? Or should we look forward to a planned international economy of the type recently suggested by Under Secretary Tugwell at Rome? We trust that the full report of the commission, to be published November 26, will throw further light on these vital questions.

TWENTY-ONE STUDENTS have been expelled from the College of the City of New York and sixteen others severely disciplined as a result of a long series of student protests against the official reception extended to a group of Italian fascist students several weeks ago. The protests have since developed into a campaign to oust President Robinson. From the beginning President Robinson has fostered the impression that the Italian visitors were not official representatives of Mussolini's fascist state and that therefore the protest was unjustified. On this point we quote excerpts from articles appearing in *La Stampa* of Turin on the day the students returned to Italy. The first is a part of "the salute of the GUF [Fascist University Groups]."

> Hail, returned comrades of the glorious American tour! We were all with you spiritually, and like you we felt the anxiety of the battles awaiting you, wherein you had to show all your valor, and like you we profoundly felt all the importance of your tour, which was a stupendous and universal affirmation of Italianity. . . .
>
> Today we salute in you the dear comrades in study and in faith who by the Duce's will have marked a brilliant new stage in the triumphal march of fascism over the world!

The second describes the students' reception by the Duce:

> At twelve o'clock the Duce appeared in the reception hall, where, in triple file, were lined up the students. They greeted His [sic] appearance with a tremendous "To us!" in which vibrated the youths' consciousness of having fulfilled their honorable mission of representing fascist Italy on the other side of the Atlantic.

Dean Morton Gottschall of City College, who made a report to the faculty on the affair, recommended clemency as the best way of avoiding future difficulties, pointing out that the students had been honest, courageous, and sincere in their dealings with him. The dean's recommendation was ignored; as we write, a general student strike is announced. Meanwhile the "comrades of the glorious American tour" may congratulate themselves on advancing by one college president "the triumphal march of fascism over the world."

WHEN *The Nation's* first article appeared charging the existence of fascist control in the Italian Department and the Casa Italiana at Columbia University, the issue was taken up by various student groups, particularly the Columbia *Spectator* and the Social Problems Club, and a serious effort was made to induce President Butler to discover the facts and act upon them. So far Dr. Butler has declined either to see student delegations or to institute an investigation on his own account. The simple truth is, of course, that fascist control in the Italian Department cannot successfully be denied. It is there for all to see. To extirpate it without also

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rooting out the fascists who are responsible would, we admit, be difficult. It might also be necessary to abandon the Casa itself with its fascist furnishings and support. Such an act, though doubtless painful to the university authorities, would hurt Columbia far less than the continued fascization of even one important department. We hope the Columbia students will not allow themselves to be defeated by the strategy of silence adopted by the authorities. In a letter published in *The Nation* last week, the officers of the Graduate Club of Italian Studies stated that they planned to invite Professor Gaetano Salvemini to speak this year "on some phase of contemporary Italian history." Has this invitation been issued? *The Nation,* in justice to the Graduate Club, would be glad to announce its dispatch at the earliest possible moment.

AFTER SEVENTEEN YEARS in prison Tom Mooney at last faces the possibility that his case will be reviewed by the United States Supreme Court. The court has directed the warden of San Quentin Penitentiary to show cause, within a forty-day period from November 12, why Mooney's lawyers should not be permitted to file a petition for a writ of habeas corpus. If the petition is argued, the court will be presented with evidence of the perjured testimony on which Mooney was convicted, and according to John F. Finerty, counsel for Mooney along with Frank P. Walsh and others, there is every reason to believe that the final result will be "vindication of Tom Mooney and his release from life imprisonment on a deliberately framed conviction." If this happens it will mean that the courts have at last taken cognizance of what everyone who was familiar with the case has long known—that Mooney was convicted on evidence so flimsy that even the trial court of California, freshly presented with it under a new indictment last May, was forced to direct a verdict of acquittal. The unaccountable technicalities of the law have never seemed more devious and unjust than in the Mooney case. Belated justice will aid in restoring to the layman his confidence in the courts.

WHEN NEWSPAPERS and chambers of commerce announce that "business" feels this way or that about the New Deal, one visualizes a highly organized class interest expressing itself with solemn unanimity. It is easy to forget in the heat of generalization that "business" is only confusedly a class and only partially organized. It is primarily several million American citizens who include New Dealers and Old Dealers, Republicans, Democrats, and even Socialists. Behind the dignified resolutions of the American Bankers' Association are individual bankers who look upon the Administration with undiminished repugnance and fear; one such—William Lloyd Garrison, Jr.—wrote his opinion of the New Deal in *The Nation* two weeks ago. Behind the jolly, get-together spirit lately invoked by the United States Chamber of Commerce are attitudes ranging all the way from silent hostility to the whole-hearted approval voiced on another page this week by Milo Perkins, a manufacturer in the Southwest. In this series, What Business Men Think, is exhibited this diversity of opinion existing among men whose fundamental economic interests would appear to be similar. It is this division, of course, that enables Mr. Roosevelt to shift his policy and swing through a surprisingly wide arc to left and to right without seriously endangering his middle-class following.

WHILE THE RECENT ELECTION gave no indication of a pronounced growth in militant radicalism in this country, delayed returns show substantial gains for the Communists and Socialists which were largely ignored by the press. Several of the newspapers gave in great detail the vote for ex-Mayor Hylan of New York, who received about 10,000 votes as candidate for Governor, and reported the numbers polled by the Law Preservation Party, but neglected to mention that the vote of the Communist Party had gained approximately 70 per cent since 1932. Israel Amter, Communist candidate for Governor, received more than 41,000 votes in New York City alone, and the remainder of the State ticket polled from 43,000 to 45,000, as compared with a party vote in the city of approximately 25,000 in the last Presidential election. Substantial gains were also scored by the Socialists, although returns have been almost universally delayed. Norman Thomas, the Socialist Party candidate for Senator, received 130,000 votes in New York City, an increase of 20,000 over 1932, while other Socialist candidates obtained from 79,000 to 106,000. Elsewhere the returns are extremely scattered. In addition to their decisive victory in Bridgeport, Connecticut, the Socialists polled 50,000 votes in Milwaukee, and a record 85,000 for their senatorial candidate in California. In Ohio the Communists obtained more than 12,000 votes, a gain of 70 per cent since the last election. In Taylor Springs, Illinois, a workers' ticket supported by both Communists and Socialists was elected by a two-to-one majority. While the combined vote of the minor parties is insignificant compared with the millions received by the New Deal, its growth is another indication of prevailing discontent which may one day force a new alignment in the American political scene.

EVEN IN THE PROCESS of picking up the pieces after a disastrous defeat the Bourbons of the Grand Old Party learn nothing. Borah's talk about reform, Vandenberg's shy suggestion of a coalition government, may be dismissed as political persiflage, not truly representative of Republican thought. More significant in the immediate post-election period was the meeting of the Pennsylvania Council of Republican Women, and the attitude of the delegates. First appeared Governor Gifford Pinchot, who had opposed the victorious Democratic candidates. His dictum was, "The Republican Party must go progressive or go bust." His response was a chorus of boos and hisses, and one woman was heard to exclaim, "Rats! We ought to walk out on him." Pinchot assailed the Republican Old Guard and declared that its lack of any national leadership or program greatly aided the New Deal victory. But his audience refused to listen and he retired amid actual disorder. The same evening appeared David Aiken Reed, high priest of the Old Guard, by common consent, despite his ignominious defeat. His first words were, in effect, that the Old Guard might die but would never surrender. This sally was greeted by tumultuous applause. He urged as the solution for Republican ills that the "sane" elements in the Democratic Party unite with the always sane Republicans to fight "the lack of common sense prevalent in Washington." This proposal produced an even greater ovation. If Pennsylvania is any criterion, the Old Guard will continue blithely on its way, wondering why it is the only "sane" thing left on God's green earth. An elephant, it seems, never remembers.

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Jobs, Relief, Insurance

WASHINGTON is living through a new fever of optimism, reminiscent of the high-spirited days when the New Deal was born. This time, instead of the NRA promising to end all ills, there is in preparation a new drive to end unemployment. After the reconciliation between the President and the bankers, business for its part will try once more what it attempted so often during the Hoover regime, to levitate itself by sheer mental power. The Administration is to be more materially minded, and the spending school has an array of plans, each vaster than the other, garnished with statistics of the numbers who will be put to work. It is only coincidence that these plans are in the offing at the very moment when social insurance appears on the scene, but it is unfortunate. For in many minds the determination to create jobs is an alternative to social insurance. Secretary Ickes, formulating one problem under the heading "Jobs Versus Dole," does not intend to weaken the case for social insurance. He means to say "Jobs Versus Relief." Here, of course, he is pushing an open door. Nobody likes an eternal system of relief, and it is elementary common sense to use government resources to make jobs, if only it can be done, rather than barely to save the unemployed from starving. But this has nothing whatever to do with the advisability of social insurance and the urgency of introducing it now.

For our part we believe in spending; we regret that the spending for big and useful schemes so far has been over-cautious and not in the volume to produce lasting results. We shall heartily support any spending plan which promises to combine public service with the reabsorption of the unemployed. All we ask is that the debt incurred shall be amortized out of socially conceived taxation. The discouraging reality is that the spending under discussion will not put enough people to work next year, though it does promise results by 1936. Ickes the Careful, after breaking the hearts of serious believers in intelligent spending, now talks brightly of speedy schemes, citing rural electrification, flood control, the elimiation of grade crossings, and further road building. Rural electrification cannot be done quickly in most districts without costituting a free gift to the private utilities, which would be a strange counterpart to the TVA. Leaving this aside, it cannot employ large numbers. Of grade-crossing work there is plenty, and it can use a considerable volume of labor. But it cannot possibly be undertaken in a few weeks, nor is it likely to stimulate much employment in other industries.

Well, say the enthusiasts, there is housing. The country is being hypnotized into believing that house building on a nation-wide scale can bring recovery in a hurry. But the schemes under consideration cannot bring it next year, which is the immediate point. To get vast housing schemes going costs first of all almost infinite patience. It would be a miracle if half a million men could be employed by next spring through any of the plans now proposed. Salvation by public works means giving employment to millions on roads, to hundreds of thousands in parks and forests. Saving America by making it a nation of road builders is a curious conception in itself, something to be grim about, not jubilant. But to pretend that this salvation, if supplemented by housing schemes, will solve the issue of jobs versus dole is humbug. Some people realize this and are urging the reconsideration of the Rand scheme for subsidizing industry to resume production at the 1929 level, the surplus to be kept off the market and industry to make no profit in the operation. Thus agriculture under the AAA is "saved" by destroying a surplus and industry is to be saved by creating one! Harry Hopkins with an eye on budget balancers is threatening to let the unemployed produce for one another on a continental scale. It can be done; a secondary economic system can be set up to rescue the unemployed from utter annihilation if relief dries up. But business will prefer relief and a budget deficit to this object lesson in barter economics.

The meetings last week of the National Conference on Economic Security were needlessly eclipsed by the impending schemes for creating employment. Then confusion was introduced by the President's own language, which appeared to limit the program for the present to unemployment insurance and to leave old-age pensions and health insurance to the dim and distant future. The reactionary press at once hailed this as new proof of the President's surrender to business. His statement is now interpreted as having meant that unemployment insurance had better be rushed through Congress by itself. It alone can be framed now in a way to unite most of its advocates. More discussion is needed to frame health isurance and old-age pension plans. The State legislatures must have the federal bill early in the year if they are to draft unemployment-insurance legislation in 1935, and so make it possible for benefits to begin by 1936 or 1937. Admittedly it would be a mistake to lose one scheme which can be got under way by linking it with immature plans for the other two. But the President has not definitely postponed old-age pensions and health insurance to a later Congress, and there is reason to hope that these measures can be passed in this one before it adjourns. They cannot, however, be supplemented by State legislation in most cases until 1937, or begin operation before the following year. We urge all who believe in this legislation to press for it now.

It is unfortunate there is not time for an intensive study of unemployment insurance. It is unfortunate, too, that its advocates feel a pistol at their heads to accept the Wagner-Lewis solution. A national scheme would be worth all the extra effort it cost. The hobgoblin of constitutionality need frighten nobody. Mayor LaGuardia is right—a conference of States can be summoned to change the Constitution. The financial reserves of the system should be national in order to strengthen sectional weaknesses in times of stress. The tax on pay rolls as the means of deriving revenue is unfortunate. A national scheme financed by a tax on profits and a graduated income tax would be sounder. Workers should make no contributions; as members of the public they will bear their full share of the cost. But they will need much more power than they now have if they are to resist wage reductions to meet the levy on pay rolls. Thus the fight for genuine collective bargaining becomes still more crucial.

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The Scottsboro Case

THE date of execution for Clarence Norris and Haywood Patterson, convicted of rape in the long famous Scottsboro case, was set for December 7. We have just learned that a stay of execution, on application of Osmund Fraenkel and Walter Pollak, has been granted to February 8, 1935. As time moves inexorably toward that fatal day, only one thing, in the clouds that surround the action, remains clear: although the innocence of the defendants is overwhelmingly indicated, they have never had a fair trial. Convicted solely on the testimony of an irresponsible woman of low character, they have spent more than three dreary years in jail while their case was in litigation, and now that the day of doom is imminent, they can witness, if they are able fully to comprehend it, the unseemly spectacle of a bitter fight between opposing counsel over who shall argue the last appeal before the Supreme Court of the United States.

The Supreme Court is expected momentarily to act on the writ of certiorari requested by Mr. Pollak and Mr. Fraenkel in the case of Clarence Norris. If the appeal is argued, the main question at issue will be whether or not Negroes were on the jury panel from which the Scottsboro jury was drawn. In the second trial of Norris and Patterson before Judge James E. Horton, in March, 1933, Samuel S. Leibowitz, defense counsel, asked to be permitted to see the jury rolls to establish the fact, which he had more indirectly established in court by the testimony of numerous witnesses, both black and white, that no Negro names were contained therein. Judge Horton refused to produce the rolls. But when the next trial took place before Judge William W. Callahan in December, 1933, the rolls were produced almost before they were demanded, and Mr. Leibowitz, on examining them, offered conclusive evidence that names of Negroes had been written in after the panel was closed. It is this point which will be presented to the Supreme Court. If counsel for the Scottsboro defendants can convince the court that the rolls were tampered with, and that in fact no Negro names were included except by fraud, the case will have to be tried once more in the Alabama district court.

The case of Clarence Norris then will come before the Supreme Court if the writ is granted. The case of Haywood Patterson is in considerable doubt. Patterson was convicted for the third time on December 1, 1933. Sentence was pronounced on December 6. Motion for a new trial was filed by counsel on December 29, within the thirty days which, counsel believed, had been granted by Judge Callahan. On February 24 the court, in denying the motion, declared that the papers were too late, since they should have been filed during the December term of court which ended on December 23. In addition to action on the motion for a new trial, however, counsel was required to prepare a bill of exceptions for appeal to the Supreme Court of Alabama. Osmund K. Fraenkel, engaged by the International Labor Defense as appeal counsel toward the end of December, in answering charges made by the Amsterdam *News* of negligence in handling the bill of exceptions, explains that when the motion for a new trial was thrown out on February 24, he was obliged to prepare the bill of exceptions, which meant putting through the press 3,500 pages of testimony, in time for presentation to the court at the close of a ninety-day period, or, as he had determined it, by March 6. This was calculated from the close of the trial, not from action on the motion which was declared invalid by the judge, and there was some question whether it began December 1 or December 6. By herculean efforts the papers were actually ready on February 28, and attempt was made to get them down by the earlier date, March 1. The airplane in which they were sent to Birmingham failed to get there. They reached the court on March 5, and in May the Supreme Court of Alabama refused to consider them because of lateness. The United States Supreme Court is not permitted to hear cases unless they have come up from a local court of last resort. Hence, unless the Supreme Court overrules the Alabama court on the admissibility of the bill of exceptions, Patterson has probably no further recourse unless the Governor of Alabama will consent to a pardon or a commutation of sentence.

We have gone into this matter at some length in order to explain what must seem a hopeless confusion to persons not acquainted with the facts. Mr. Fraenkel has a long record of admirable and disinterested service in radical and liberal causes. For this reason *The Nation* would like him further to clarify the situation by answering certain questions. Why was it necessary to wait until February 24 to begin the preparation of papers that would obviously take several days, with all possible effort and industry, to prepare? Would it not have been advisable to begin the preparation of the appeal papers in plenty of time for any possible emergency in a court that had not exhibited much partiality to the defense? Why was an attempt made to get the papers down on March 1, if according to the best judgment of counsel the date had no real significance? A life was at stake. No precautions were too great or too trifling in order to protect it at every possible point.

We have indicated above that, in the shadow of the electric chair, the quarrel between opposing counsel is still going on, and is likely to be resolved only before the Supreme Court bench. The International Labor Defense took over the fortunes of the Scottsboro boys at the close of the first trial, in 1931. In January, 1933, they engaged Samuel S. Leibowitz, of New York City, as trial lawyer, and Mr. Leibowitz did in fact defend the boys during the March, 1933, trial in which Judge Horton so courageously reversed the verdict of guilty, and during the trial before Judge Callahan last December out of which the present appeal has grown. In the years during which the case has been pending, the I. L. D. has conducted, concurrently with the legal progress of the case, the mass protest which it believes should accompany such litigation. Here we have a case of alleged rape by Negroes on a white woman in the South, and the defendants are alive after three and a half years of litigation and have received the protection which due process of law could offer them. There is small question that only the widespread publicity which the mass-pressure movement gave to the case could have produced this result. There can be no doubt, however, to anyone willing to look at the matter dispassionately, that mass protest does, at a certain point, stiffen the resistance of the organized forces—in this case the courts of Alabama—against which it is directed. *The Nation* considers that the present tactics of the I. L. D.,

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which include a barrage of postcards to the United States Supreme Court "demanding" that the boys be freed, although they may serve further to publicize the action, are nevertheless highly prejudicial to the defense.

In the conduct of the litigation itself it cannot be denied that the I. L. D. from the beginning has engaged capable and even eminent counsel. Mr. Leibowitz was well known as a criminal lawyer with an astonishing record of acquittals. The I. L. D. did not insist that he be bound by any conditions or any social point of view in the conduct of the trials, and Mr. Leibowitz flatly refused to be so bound. When it came time to argue an appeal before the highest court in the country, the I. L. D. engaged well-known constitutional lawyers, Mr. Fraenkel and Walter H. Pollak. Mr. Leibowitz, on the other hand, although he had no experience and almost no acquaintance with the world of liberal and radical protest, has served on the case from the beginning without compensation—although several hundred thousand dollars have been raised for propaganda—and has declared that he is prepared to carry the case through to the end, which he firmly believes will be the acquittal of the defendants. The trials, despite tactics which included considerable flattery of the court and an expressed belief in the evenhandedness of Southern justice to the Negro, were by all accounts brilliantly conducted, and he firmly established the ground for appeal.

We come finally to the dog fight which is still going on between defense counsel. On October 1 two I. L. D. attorneys were put in jail in Alabama—in direct violation of a writ of habeas corpus issued in Tennessee—charged with an attempt to bribe the only remaining witness in the case, the notorious Victoria Price. Subornation of perjury is not a pretty offense, and it is evident that this charge, if it can be proved, will be highly damaging not only to the Scottsboro defense—if and when it appears again in the Alabama courts—but to the defense of all subsequent Negro cases in the South. Mr. Leibowitz declares that it was the arrest of the two attorneys which finally convinced him that he could no longer continue his association with the I. L. D.—long since, evidently, a source of the greatest private irritation to him. On October 4, however, Mr. Leibowitz was notified that he was not expected to argue the appeal before the Supreme Court. In other words, at almost the same moment, Mr. Leibowitz and the I. L. D. tried to take farewell of each other, each one with the defendants safely tucked under his arm. The subsequent story has been one of affidavit following affidavit, in which Norris and Patterson, not knowing what it was all about anyway but desiring all the legal protection they could get, have first declared their undying allegiance to the I. L. D. and next to Mr. Leibowitz. Both sides at the moment claim the latest affidavit. It would be folly to say which was right. Mr. Leibowitz has declared that he will either argue the case himself or associate with any reputable counsel who will consent to serve, including Walter Pollak, but who will represent the defendants and not the I. L. D. The latter, on the other hand, firmly insists that Mr. Pollak and Mr. Fraenkel will argue the appeal under its auspices.

Probably never before in the history of the Supreme Court bench has a case come up with counsel fighting for the right to defend it. And it would be a dramatic spectacle if, on the day of hearing, it was necessary to produce Clarence Norris in court to make perfectly clear to Mr. Justice Hughes just whom he had chosen as his counsel. Whether or not it would aid Clarence Norris in avoiding the electric chair is another question. In an issue as contentious as this one has become, it is difficult to take sides. *The Nation* can merely say that Norris has the right, as an American citizen, to be defended by counsel whose first allegiance is to him, whose efforts in this particular appeal are solely directed to the constitutional issues involved. If Mr. Leibowitz can best qualify, more power to him. If Mr. Pollak and Mr. Fraenkel can do it better, they should be given a free hand without benefit of propaganda; if some other lawyer who has not yet entered the case would be best of all, he should be found. The question at issue is not the class struggle but rescue of the defendants from the electric chair. To this end *The Nation* proposes that a committee of well-known lawyers, of the caliber of Charles C. Burlingham, or Arthur Garfield Hays, or Morris L. Ernst, should go to Kilby Prison and take a final and impartial deposition from Norris and Patterson designating their counsel. And that all other counsel should agree in advance to withdraw from the case once this deposition is properly secured. Nothing could be more fair to all sides; and it is hard to see how anyone with the interests of the Scottsboro boys at heart can very well refuse.

Dark Days for the Utilities

AS the result of a series of victories for public ownership at the recent elections, the position of the electric light and power industry, in the inimitable words of the New York *Times*, "is now regarded by some executives as having reached the darkest period of the depression." The most crushing defeat suffered by the utilities was that in Memphis, Tennessee, described elsewhere in this issue. Here the utility interests were embarrassed to discover, after all the votes had been counted, that the total number cast in favor of private ownership only slightly outnumbered the utility workers in the city and was little more than half the number of owners of the power company's preferred stock.

An even clearer indication that the public is at last awakening from its lethargy was furnished in the State of Washington, where the voters approved by a majority of two to one the Bone power bill, which will permit municipalities to operate utility properties outside their own corporate limits. As a consequence of this action, the city of Seattle is now free to proceed with its plans for acquiring the Puget Sound Power and Light Company at a cost of nearly $1,000,000, one of the most ambitious schemes yet projected by any American city. At Sacramento, California, the voters reversed their decision of previous years and indorsed by the necessary two-thirds majority the expenditure of up to $12,000,000 for the establishment of a municipal power system. Wapakoneta, Ohio, which already possesses a distribution system, approved the erection of a publicly owned generating plant. In St. Paul, Minnesota, the electorate rejected a proposal which would have given private interests a twenty-year strangle-hold on the local utilities.

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Victories were not, however, by any means universal. In several localities the utility interests were too firmly intrenched to be dislodged even by a tidal wave of protest against the old order. The most serious setback occurred in Oregon, where the Grange power bill, which would have permitted the establishment of a State-owned power system, was defeated by a narrow margin. Muskogee, Oklahoma, voted three to one against establishing a municipal plant. A similar reverse was suffered in Mount Olive, New Jersey, where public ownership was overwhelmingly rejected.

Apart from the TVA the greatest single blow ever struck at the utilities in this country, however, has been the publication of the New York Power Authority's report to President Roosevelt. This report of the first careful field investigation into the actual cost of producing and distributing electric energy on the basis of existing equipment shows an overcharge far greater than the most extreme advocate of public ownership had ever claimed. The Authority estimated, on the basis of actual costs, including a 6 per cent return to capital, that the average charge for delivering electricity to homes and farms in New York State should not be in excess of 3½ cents a kilowatt hour for the use of 50 kilowatts instead of the average of 6 cents which the customers are now paying. In many cities of New York families are now paying enough for 50 kilowatt hours to buy 200 if the rates were assessed on a reasonable basis. For larger users of electricity the excess charge is proportionately greater. Variations in the cost of distributing electricity, as distinct from variations in the rates charged, were found to be insignificant—amounting to not more than four-tenths of a cent per kilowatt hour.

The total overcharge in Northeastern States affected by this survey—New York, Pennsylvania, New Jersey, and New England—is estimated to be approximately $194,000,000 annually out of a bill of $681,000,000 now paid the utility interests. This represents a toll of approximately $28 per family for the 7,000,000 consumers living in this area.

Completion of the St. Lawrence waterway would bring a further material reduction in the cost of producing electrical energy. If a State-wide system were established utilizing the bulk of the power developed, it is estimated that electricity could be generated and transmitted as far as Utica, a distance of 135 miles, for as little as 2¼ mills a kilowatt hour. At New York City—approximately 300 miles from the source—the cost would be less than 3¼ mills. Add 2½ cents for the cost of distribution, and New York consumers would still be able to purchase electricity at less than 3 cents per kilowatt hour as compared with an average of 6.6 cents at the present time. The savings to the consumer from the St. Lawrence waterway, however, would be negligible if the private companies continued to distribute electricity on the present basis. Under such circumstances the State would be assuming the risk and investing the bulk of the capital, and yet would be receiving only about one-twentieth of the consumers' expenditures for electric energy. If there is any clear lesson to be drawn from the report, it is the fact, long suspected but never previously proved, that utility charges bear very little relation to costs. It has been a case of charging all that the traffic would bear. And as long as the consumer did not complain, there was little that the government or any outside agency could do. The New York Power Authority has done its duty in bringing the facts into the open. It is up to the consumers to organize and to make the next move.

Wit Is a Weapon

LIKE many passionate idealists, the poet Shelley was not conspicuous for his humor. This does not mean merely that he did not tell jokes; it means also that he simply did not understand what the comic spirit was about. When he said of some new acquaintances, "I believe they are little better than Christians," he had no intention of being funny, and when he wrote satires, they were not intended to make anybody laugh. He could move back and forth between ecstasy and indignation, but he was not capable of much in between. Indeed, the whole realm of comedy was so far outside his ken that once when he was urged to attend a performance of "The School for Scandal" he replied that he had read enough of it to know what it was about. It was intended to argue, he said, that people who read books are not to be trusted and that real virtue is to be found only in drunken gamblers.

Shelley was a kind of angel, but he was not the sort imagined by the frivolous Frenchman who thought that angelic hosts must find men amusing. His mentality was more like that of John Bright, who is said to have reported Artemus Ward's London lecture on the Mormons thus: "Mr. Ward had very little information and what he had was presented in a rambling manner." He was also a good deal like a writer in a recent issue of the *New Masses* who began his review of a book of pictures by Soglow as follows:

> Whether it is humor or not, and consequently whether it is artistic work or not, depends entirely on the class point of view. There is no such thing as humor in general; humor is for one class or another. The question is whether this book is satire for the working class or superficial cartoons to amuse the well-to-do.

This profound truth makes it, of course, perfectly clear why Harpo Marx was equally popular in New York and Moscow; also why—as it is reported at least—Comrade Litvinov shook a shower of spoons out of his sleeve when he came back stage to greet the capitalist clown.

John Bright was a useful citizen and Shelley was a great man. That proves that a taste for humor is not absolutely necessary to anyone and ought to be enough to absolve us from the charge of insulting a contemporary in the comparison we have just been making. But it also gives us an opportunity to remark in all mildness that wit, like other forms of art, is not always or necessarily a weapon. One of its most amiable forms consists in something quite different, namely, a sudden and frank recognition of the gap between theory and practice; of a fact or a condition not quite accounted for by our hypotheses or our principles. That is what is implied in the famous phrase which defines it as "the kiss given to common sense behind the back of religion"; and religion means there any dogma which involves a simplification of fact. Wit of that sort is either not a weapon at all or a weapon used against ourselves, and the delight which springs from it has its source in the sense of freedom which it gives —in the sense of being liberated for an instant from that strait-jacket of conceptions, beliefs, and hypotheses within which the mental limbs cannot be too continuously confined without suffering a cramp. Even a contributor to the *New Masses* needs a stretch now and then.

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Issues and Men

An Error That Cost a War

THE death of Field Marshal Alexander von Kluck, commander of the First German Field Army in September, 1914, has recalled the most extraordinary and fateful happening in the entire World War—the wrecking of the whole German plan for the sweep through France by the mistake in judgment of a single officer who was not a field marshal, nor a general, nor a chief of staff, nor even a corp or division commander, but just a plain lieutenant colonel of the General Staff. This is the story. Von Kluck commanded the extreme right wing, which moved with unprecedented rapidity. His advance points actually came within view of the city of Paris. But his troops proceeded with such speed that the Second Army could not keep up with him, which left a gap in the German front, thus giving an opportunity to the French to drive a wedge in between the First and Second armies. News of this situation reached the German General Headquarters well in the rear, and the Chief of Staff, General von Moltke, sent an assistant, Lieutenant Colonel Hentsch, to survey the situation and if necessary to order a retreat. Under the peculiar organization of the German army this was a regulation practice; a subordinate officer of the General Staff, given a power of authority by that Staff, could give orders to men vastly his superiors in rank. What is even more remarkable, in this case Hentsch arrived at the front without a written order or any evidence of any kind to prove that he had authority to order the fatal step which smashed the German hopes of sweeping on into Paris.

When Hentsch came upon the scene, he was stampeded by the gap between the two armies and ordered the retreat despite the protestations of Von Kluck and his staff. It is said that some of Von Kluck's officers asked his permission to lock up Hentsch and even to shoot him. But the discipline of the German army prevailed, the protests of the commanding officer were overruled, the First Army recrossed the Marne at even greater speed than when it had advanced over the river, and this despite the fact, according to German military critics, that Von Kluck had actually defeated that gallant army of General Gallieni's which rushed up from Paris in taxicabs to become the wedge between the First and Second German armies. Von Kluck retreated forty-five miles before halting and establishing lines, some of which were held almost to the end of the war. It has been pointed out that the Germans could have won the war if Hentsch had only permitted them to dig in where they were before the retreat, but at that time the idea of holding a line with an enemy wedge driven into it was unheard of. Subsequently such so-called salients disturbed neither side.

In America we, of course, heard the Allied version of the story, that Gallieni had won a victory, and not until after the war was it known that the German military experts insisted that Von Kluck had defeated Gallieni and that the retirement was due to Hentsch's misreading of the situation. That Von Kluck's army was in excellent condition and by no means stampeded or demoralized appears from Marshal Foch's tribute to him, which reads thus: "Masterly tactics in the retreat from the Marne, while they did not stem the tide of defeat, saved the German right wing from complete disaster. The enemy was able to retreat with only small losses, and it was Von Kluck who prevented an overwhelming catastrophe." As for Hentsch, he wrote a defense of himself, but some years after the war he committed suicide, whether because of the terrible responsibility for the loss of the Battle of the Marne and thereby of the war, or for some other reason. It is a fact that if Von Kluck had been able to dig in where he was and settle down behind trenches, as he did after his retreat, Paris would have had to yield because it would have been under the guns of Von Kluck's army—even without the long-range weapons subsequently brought out—and it was generally admitted that the French would not have stood for the destruction of Paris by a bombardment.

I have often dwelt upon this extraordinary incident as illustrating the folly of the belief that one can insure victory by arming a nation. From the end of the Franco-Prussian War in 1871 until 1914 the German army and nation left no stone unturned to prepare for the next war whenever it might come. But despite all their efforts, their marvelous military machine was wrecked and they were robbed of a victory which they had plainly earned—speaking merely from the military point of view. What instance in history could more clearly illustrate the truth of Calvin Coolidge's statement to the American Legion at Omaha on October 6, 1925: "In spite of all the arguments in favor of great military forces, no nation ever had an army large enough to guarantee it against attack in time of peace, or to insure its victory in time of war"? Similarly, the English fleet was unable to defeat the Germans at the Battle of Jutland chiefly because of visibility conditions which prevented the English from utilizing to the full their superior forces. Every time I hear people advocating preparedness for the United States I think how utterly foolish it is. The American Legion has just voted for an increased army and they have fixed the figures we need at exactly 509,000. Even if it could be mathematically worked out just what number of men might do the trick, what assurance would there be that the battle would not be lost by the error of a Hentsch or, if you please, by the errors of commanding generals such as the Army of the Potomac had for the larger part of the war?

Is it not also true that the larger and more efficient the army, the greater the temptation to statesmen to take chances in bluffing their way through dangerous diplomatic relations? It gives them the feeling that they have got an army that will see them through if they blunder into war—and then along comes some Lieutenant Colonel Hentsch or some incompetent general to bring their country down to ruin.

Oswald Garrison Villard

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Insull on Trial

By MITCHELL DAWSON

Chicago, November 13

"I'D do it again, sir! I'm a believer in that method of accounting." Thus Samuel Insull on cross-examination, the same Samuel Insull as always: wily, arrogant, domineering, despotic; older but far from feeble; explaining matters confidentially to the jury; fencing with the prosecutor, now excessively polite, now indignant or scornful; getting "very earnest," as he calls it, when his veracity is doubted; turning to the judge in protest against "double-barreled questions"; withal enjoying his role, as hero or villain, in this the last act of his personal drama.

The courtroom is packed. Judge James H. Wilkerson in his new black robe presides. He is the judge whose nomination to the United States Circuit Court of Appeals was blocked by Donald R. Richberg less than two years ago on the charge that he had exceeded his powers in granting injunctions against labor unions back in the days of Attorney-General Daugherty. His reputation among lawyers generally is excellent. In this trial certainly he has been eminently fair. The jury have been listening to the evidence since October 3. Seven of them are salesmen, former salesmen, or small merchants; one is a farmer, one a garage man, one a bookbinder, and two are unemployed.

Across the room from the jury, along the wall, shutting off several windows, is a bookcase filled with the records of "Corp," the pet name adopted at this trial for the Corporation Securities Company, which according to the government was never very corporeal. In front of the judge sit the defendants, seventeen of them, and their seven lawyers. Samuel Insull, of course, is the central figure. His son is with him. The other defendants are of lesser importance except Harold L. Stuart, president of Halsey, Stuart and Company and co-adjutor of Samuel Insull in most of his deals. The government case is directed by United States District Attorney Dwight H. Green, who sent Al Capone and other notorious hoodlums to jail for income-tax violations. But the examination of witnesses is handled mostly by Leslie E. Salter, special assistant to the Attorney-General, a well-poised young man from Oklahoma.

The defendants were indicted for using the United States mails "in a gigantic scheme whereby thousands of people were induced to invest millions of dollars" in the common stock of the Corporation Securities Company by means of false and fraudulent representations.

Early in 1929 the defendants decided to reorganize Middle West Utilities, a holding company. Their plans necessitated advancing the market price of the company's stock. Therefore the Insulls and Halsey, Stuart and Company spent some $13,000,000 in buying Middle West stock. They also organized a syndicate which acquired still more shares of Middle West. As a result the market price of Middle West common stock was pushed up from $160 a share in June, 1929, to $500 a share in September of the same year. But the defendants had no intention of keeping the Middle West stock they had thus acquired. They created the Corporation Securities Company, the government contends, as a convenient dumping ground for it. The new company was formed on October 5, 1929. Halsey, Stuart and Company turned over to it some 152,000 shares of Insull Utility Investments, Incorporated, referred to at the trial as IUI, and received 1,000,000 shares of "Corp" common stock and $3,500,000 in cash, which was raised by Corp through a bank loan. The Insull family turned over to Corp a batch of IUI stock and received in return 1,045,000 shares of Corp common stock and 45,000 shares of its preferred. Thus when Corp began business it had only a few dollars in cash, the common stock of IUI turned in to it by the Insulls and Halsey, Stuart and Company, and more than $3,500,000 in liabilities.

One of the defendants, Charles B. Stuart, had some qualms about the venture. He wrote from New York to Frank K. Schrader, another defendant, in Chicago, with reference to the proposed new company: "I do not know how Goldman Sachs and the rest of them get by the Blue Sky laws, but certainly there must be some answer to it. . . . In my opinion, the minute we disclose the assets of the company it will in a great measure defeat the purpose of the whole thing." A copy of this letter went to H. L. Stuart. But the Blue Sky laws apparently gave the defendants little concern, for a few weeks later the stock of Corporation Securities Company was offered for sale by means of allotment certificates representing one share of common stock and one share of preferred, to be subscribed for at $75 a unit.

The government charges that the market on these shares was rigged through a simulated demand for them created by purchases by the defendants on the market at $78 to $100 a unit at the very time when the defendants were offering them to subscribers at $75. The allotments sold like hot cakes. From October 19 to November 4, 1929, Corp took in $49,000,000 from the public. Part of this was used to pay the $3,500,000 bank loan and part to pay for the Middle West stock which some of the defendants unloaded on Corp per schedule. Now rigging the market is a common practice. In one form or another it is practically essential to floating large issues of securities. The defendants may even introduce evidence to show that the government itself rigs the market in connection with its bond issues. But market rigging is only one of the many deceptions which the government charges the defendants used in distributing Corp stock. During the first three months of the company's life the securities in its portfolio depreciated more than $24,000,000 on the market, and that amount was charged off on its books against capital surplus. The company also incurred an operating loss of $600,000. There was nothing criminal in this. But, according to the government, *these losses were not disclosed in Corp's annual report,* which was drafted and redrafted eight times, the first version showing a loss of $174,000 and the final one a gain of $630,000.

With such a showing the defendants were ready to inaugurate a nation-wide sales campaign. The distribution of Corp stock was taken over by the Utility Securities Company, the organization formed to dispose of stock for Insull companies, with instructions to go out after small investors, ste-

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nographers, clerks, elevator men, conductors, janitors. The public was offered these "jewels of the Insull empire" with the assurance that "the company is putting investments into bedrock American securities, particularly the electric-power industry. . . . They have seasoned investment value . . . have been of outstanding stamina during the depression . . . opportunities like these today occur only a few times in a generation." "Get their savings!" was the slogan. One of the defendants advised his West Coast stock salesmen: "In a city like San Francisco there must be someone who could save $5 or $10 a month—sufficient to buy one share of stock."

While this peddling, petty in detail but cumulatively tremendous, was going on, the Insull crowd kept up a fictitious price for Corp stock by rigging the market through wash sales. In January and February of 1931 more than half of all Corp stock sales were wash sales, and after July, 1931, 75 per cent were of that type. The defendants continued to push the sale of Corp stock, the government says, although they knew it was worthless. They advertised a net income for Corp in 1930 of $8,000,000, while they had an actual net loss of $1,500,000; although Corp was insolvent by more than $6,000,000 on September 15, 1931, it declared a cash dividend of half a million; during the life of Corp more than $4,000,000 was paid out in cash dividends on preferred stock, out of which Samuel Insull himself received one-quarter million, yet at no time in its career had Corp earned a single dollar honestly available for dividends. These allegations, of course, are based on the government's interpretation of the records, which the defendants say is not in accord with the school of accounting they were brought up in.

The defendants are also charged with "writing up" the value of securities acquired by Corp to the extent of $31,000,000 above the actual cost. Samuel Insull on cross-examination admitted that IUI stock bought from Halsey, Stuart and Company at $3,500,000 was written up to $15,000,000. "I probably was wrong to the extent of about ten millions." Another type of deception, the government claims, lay in the crediting by Corp of stock dividends received from other companies as income. The defendants caused Middle West and IUI to pay stock dividends to Corp which were charged against their own earnings at book value, but Corp put them on its books as earnings at their current market prices. They should not have been classified as earnings at all, said Prosecutor Salter. On cross-examination Samuel Insull maintained stoutly that the Corp method of crediting stock dividends was perfectly proper. Corp's accountants had at first thought otherwise, but they changed their minds after Mr. Insull had talked to them. "It wasn't any trouble convincing them they were wrong," said Mr. Insull without the shadow of a smile.

And he didn't smile either over the famous Eaton deal of 1930, the burden of which was saddled on the stockholders of Corp, according to the government. Cyrus Eaton had acquired control of 160,000 shares of stock in the three most important Insull operating companies. He invited Samuel Insull to join him in pooling their interests in a new holding company. But Insull didn't want to share his empire with anyone. His alternative was to buy Eaton out. Otherwise Eaton could break the market for Insull stocks by dumping his holdings, which would be disastrous. Insull was therefore forced to take over Eaton's holdings at an average price of $350 per share, which was $40 above the market. A high-class poker game, of course, and no one would have cared except that the job of saving the situation was assigned to poor old Corp. Corp was already in a desperate condition. Nevertheless, its directors decided that it should come to the rescue by purchasing the Eaton offerings at the price of $56,000,000, $48,000,000 to be paid in cash and $8,000,000 in stock of Corp and IUI. To raise sufficient cash Corp issued $40,000,000 of serial gold notes in September, 1930, and pledged its assets to secure them.

It took the government two hours to outline its story to the jury and four weeks to present the evidence. To an observer without pretensions as an expert in high finance the government's main contention—that the promoters of Corp were selling the public shares in an enormous dead horse—seems to have been proved. How far the individual defendants were involved and just how "criminal" their intentions were is another matter. The defense seems to rest principally on protestations of good faith: the defendants are honorable men who worked their way up to positions of power and wealth by diligence and merit; they devotedly served the public in developing great utility enterprises which created jobs for thousands of employees, wealth for hundreds of thousands of investors, and electricity for millions of consumers; the alleged rigging of the market was nothing more than fulfilling their duty to support the market and to provide an orderly means of liquidation for investors; their stock-floating and accounting methods were in accord with current practices. After all, the defendants maintain, no one could foresee the deluge; and didn't the defendants themselves go down with the ship?

According to Floyd E. Thompson, attorney for Samuel Insull, and former justice of the Illinois Supreme Court, his client had less than $4,000 when he departed for Europe on account of his health in 1932. But in 1929, 1930, and 1931 Samuel Insull collected close to half a million dollars annually in salaries from thirteen different companies and $470,999 in dividends from Corp and IUI alone, which sum does not include any other market profit or dividends. "I have always believed," says he, "that the laborer is worthy of his hire."

What, then, will be the outcome? The person is rash who ventures to predict the verdict. It will depend upon the background, temperament, and personal reactions of the jury. Some of the defendants will no doubt be acquitted. None of them expect to go to jail—least of all Samuel Insull. He was asked if he would attend the opening night of the Chicago Civic Opera in the opera house which he built. "It would not be good psychology," he said. "I may go later."

The atmosphere of the trial at the time this is written is more favorable to the defendants. The tragic stories told by a score of victims of the Corp ballyhoo have receded into the background. The defendants in turn have been telling the jury the stories of their lives and producing an imposing parade of character witnesses. General Charles G. Dawes, Colonel Frank Knox, publisher of the Chicago *Daily News,* Sewell Avery, president of the United States Gypsum Company and Montgomery, Ward and Company, and Cardinal Mundelein were among them. One cannot help wishing that the government could and would call in rebuttal one character witness of prominence—a single banker perhaps of the many who disliked the principal defendant for his overriding ways.

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In most respects the defendants were playing the game as it was generally played in the utility business. They rigged the market; but so did other large-scale operators. The difference was one of technique. The defendants broke the rules of the stock exchanges. These rules were established by the security business for its own protection and not for the protection of the public. Insull and his associates were just a little bolder in their manipulative devices than the rules allowed and they took more chances. Their accounting practices and financial operations did not differ basically from the methods employed by big business for decades. It was their personal tragedy to have come at the end of an era and to have lacked the banking resources to avert the final disaster.

That the practices revealed in this trial were general does not help the hundreds of thousands of people who were literally ruined by the flotation of Corp and other Insull enterprises. This is the type of wrong that the Federal Securities Act was designed to end and has ended—for the time being. The difficulty is that the Securities Act amounts to an attempt to freeze the existing economic structure. It rests on the assumption that we no longer need to accumulate enormous sums of capital for the expansion of American industry on the old laissez faire basis. Capitalism, however, cannot stand still and survive. Without a free security market it will decay. And a free security market is one in which the Insulls thrive. If the Securities Act is modified, as it is likely to be, we shall see a revival of the practices condemned by the government at this trial. "Securities are printed to sell." Whatever else may be said, the Insulls are consistently true to their own methods and to themselves.

"I'd do it again, sir!"

A Yardstick for the New Deal

By RAYMOND GRAM SWING

Washington, November 19

POLITICS normally is preoccupied only with the conflict for political power in a stable economic regime. But today the public feels that the fight for political power has a more fundamental purpose. It believes the New Deal will effect a shift of economic power from the control of the few to the many. The rearguard action of the Republican Party in the last election was carried on in the full understanding of this issue, and was a desperate attempt to maintain the economic status quo.

No more interesting question can be asked, then, than how much the New Deal actually has shifted economic power in its relatively short lifetime. Here is a yardstick with which to judge the Roosevelt Administration, now and in the future. But the question is not simple to answer. Any close observer, one might imagine, could take out a pencil, put the gains for democracy in economic power in one column, the losses—if any—in another, and in a few minutes make out a balance sheet of the New Deal. It might be assumed that one man's statement must look like another man's, that is, that an objective analysis of the shift of economic power under the New Deal is impellingly obvious. But if anyone will take out his pencil and start marshaling his items he will find that the actual shifts so far are more potential than actual, and he will have to draw up his balance sheet largely on the basis of what he believes is still to happen.

If the government already had taken from private finance its domination over economic life, that would be the greatest shift in economic power through political action in the history of the nation. The "wise man" may say that he would rather write the ballads of a country than its laws. But the man wise in economics knows that to control credit in the modern state is to dominate that state.

Under the New Deal the government has made a sensational beginning in this direction. It has seized the gold of the private banking system. This is vast potential power. It is as though the old system of credit had lost ownership of its heart. The new possessor has not transferred the heart to another body, and the old body continues to function. But the owner of the heart is owner of the system. Any day a new system, a socially owned system, could be established founded on the government's gold.

Similarly, the government dominates the Federal Reserve System, once the independent brain of the privately controlled credit system. This is no institutional change effected by specific legislation, but for the present it is real. And in the rhythm of these changes come all the direct extensions of credit by government agencies. Much of the financing of agriculture is now in the hands of the government. The RFC can make direct loans to industry. This same agency, too, has bought preferred stock in many banks, and can increase its direct supervision of policy in individual banks.

Of lesser importance, but in the same field, the government has whittled down the power of financial interests. In restricting the freedom of issuing houses in offering new securities, it has taken to itself power from Wall Street. On many fronts the government is competing with banking, at the same time that it salvages banking. But the salvaged vessels may have to sail hereafter an inland governmental sea, and not the wide ocean of unrestricted finance capitalism.

This, at least, is the implication of the New Deal. The logical step for the government, after what has happened so far, is to set up a central bank and make the social control of credit factual. But this is not to be done in the immediate future. The reason may be in the personal disposition of the President not to make progress by frontal attack. His favorite strategy appears to be to create first of all an era of doubt. When he finally announces his banking policy, it may be much less than has come to be feared, and so be accepted without a struggle. But it may be much more than he could have won easily by announcing it at the outset. Or it may be to take the easy way of doing nothing at all and let credit control slip back to the private financiers. If recovery is to come first, with reform as an afterthought, this is the probable course. Already the intimation is that two great credit agencies are coming to the close of their work. The HOLC and the RFC may not ask the new Congress for more funds.

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The full extent of the shift of power through the state control of credit cannot be gauged. A few months ago it looked as if a state bank of some kind would emerge from the next session of Congress. Then the President scotched this immediate hope in his terms of reconciliation with the bankers. But his terms were conditional: the banks must lend, there must be a business revival. If not, the President has free hands again. So for the time being the New Deal has possession of the keys of the power house, but it still leaves the old crew in charge.

But credit is only one chapter of the New Deal. There are the NRA, and the AAA, and not the least important, the TVA. To the extent that these have instigated changes which are a shift in economic power they must be entered on the balance sheet.

The TVA is a specific rather than a general change in economic control, but it is a vital one, and for one district it promises to take the control of electricity from private monopoly and transfer it to the public. Here is the simplest kind of shift in economic power. Here, too, is at least one exception to the President's distaste for frontal attack. The TVA is only local, but tied in with it are other schemes, equally direct, which if carried through would represent a considerable shift of economic control throughout the nation.

Transportation is another specific field in which control has been extended. Control already existed through the Interstate Commerce Commission, but now through the financing of the railroads by government loans the independence of the railroads is still further reduced. The tide is toward further control; it might go to the length of nationalization. Here, as in the use of its credit power, the government has an implicit domination which it is not enforcing.

The AAA is not so easy to describe in terms of the yardstick of changed economic power. On the whole it has left the economic control where it was. There is a temporary shift in income through the processing tax, from the consumer to the primary producer. But this is not a permanent shift in the economic control of agricultural production. The primary producer in America is still under the domination of the processor and distributor, who dictate to him what he shall receive for his production and who are left pretty much alone in determining what their share shall be. In fact, the depression has seen a strengthening of processors and distributors, who now take 61½ cents of every dollar spent on food, as against 52½ cents in 1929. The primary producer now receives 38½ cents, as against 47½ cents. The AAA, through some of its agencies, notably through the influence of Dr. Frederic Howe and Jerome Frank, resisted the codification of the food industries last year, in the days when these interests were descending on Washington intent on getting legal sanction for combination and for their existing trade practices. Slight gains in favor of the producer and the consumer are to be mentioned in one or two branches, such as milk and grain. But the New Deal has not tackled the real problem of economic power in this whole field.

In the NRA we come to the first debit item in the balance sheet. The codes have increased the power of industry. In a sense, the NRA has not so much added new domains of strength as it has organized and solidified the strength industry already had. The tendency to foster combination, to control prices, to adopt practices penalizing the consumer was confirmed in the grand rush in which the New Deal undertook to codify everybody in a few weeks. The organization of industry was definitely broadened, and the social control which theoretically was to operate through the Consumers' Council and collective bargaining has not been broadened to anything like the same extent. The role of the consumer has been negligible. The battle over collective bargaining has found the New Deal in its most tantalizing mood to compromise.

It ought to be fairly simple in entering the NRA on the balance sheet to calculate what gains have been made by labor to offset the gains ceded to industry. But it is not a simple item. Certainly gains have been made. The revival of the labor-union movement is one. The increase in union membership and the growth of unions in industries which had succeeded in keeping them out, such as automobiles, steel, and textiles, are to be noted. But the real gain should be measurable by the increase in the number of workers under actual wage contracts which has been effected by collective bargaining under the NRA. This is a figure that it is impossible to learn. I asked the NRA for it and was referred to the American Federation of Labor, which disclaimed having it. The statistical department of the Department of Labor does not know it.

The increase in the economic power of labor under the NRA is considerable in the needle trades, where unionism already was strong, and where specific clear-cut conditions were accepted by the fringe of open-shop employers under the code. The United Mine Workers of America have obtained contracts in the Appalachian area, which had kept them out. The mine workers now have organized the entire coal industry excepting parts of Kentucky, Alabama and Tennessee, and some of the "captive" mines controlled by other industries. Under the construction code many regional agreements have been made which give the benefit of uniform conditions to a considerable number of workers. In the legitimate theater labor can claim an extension of power in that it now can protect classes of employees not formerly included. In other industries power remains about as it was. To the gains for labor must be added the minimum wage and the abolition of child labor. These, however, are not actual shifts of economic power to labor itself, though they represent the social use of power by the government.

Whether these gains for labor outbalance the gains of industry under the codes—probably they do not—is not, however, the only question. Until the right of collective bargaining is recognized and workers can make wage contracts with their employers under the protection of law, the New Deal will not have destroyed the unlimited authority of management in most industries. It was pledged to do this in the act creating the NRA. And the pledge has not been fulfilled.

It is too early to say what federal relief represents in terms of a shift in economic power. So far the money for relief is being borrowed, and nobody knows who will repay it. If it is repaid by inflation, it will be paid by the most disastrous form of capital levy, certainly a shift in power. If it is repaid by taxation as at present levied, it will represent no change. If it is repaid by increasing the taxes of the wealthy, it will be a change from the practice of levying the cost of government disproportionately on those with medium or small incomes. There is no knowledge of the ultimate tax policy of the Administration. The President is believed to favor no departure from the present system until the national

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income is restored to normal volume. Then he might introduce the tax concepts of the social state.

To sum up, we must come back to credit and the increased ability of the government to dominate it to find the chief gain of the New Deal in its real function of shifting economic power from the few to the many. On the balance sheet this must stand as an item that already means something but might mean almost infinitely more.

We are on the way to the social ownership of electric power and probably of transportation, first steps toward a social state. These are items of importance, but here again the shift is potential rather than immediate. It is difficult to make an entry for agriculture, as the primary producer, while his income has been increased, has not been liberated from his virtual peonage to the processor and distributor. The entry for industry is placed on the debit side, for here the New Deal probably has strengthened industry more than it has labor. In totaling the items, we reach a fairly vague answer. An actual shift of economic power has been effected, but it cannot be mathematically stated. In itself it is not yet a great shift. In its implications it is as great as any man's personal expectations from the President.

[*Mr. Swing contributes a regular weekly letter from Washington.*]

Memphis Votes for Cheaper Power

By HUGH RUSSELL FRASER

Memphis, November 15

BY a vote of almost eighteen to one, the city of Memphis, Tennessee, has approved a $9,000,000 bond issue to acquire facilities for the distribution of TVA power; the city has the option either to buy the existing plant or to build one of its own.

The victory stamps with success the Authority's effort to get a "major yardstick" in the valley area. A year ago Birmingham turned down a similar proposal after a bitter fight against utility propaganda, in Atlanta the TVA advocates were outmaneuvered from the start, and in Knoxville, where the proposal passed, the campaign was clouded in the closing weeks by a fake civic organization financed by the utility interests. Despite the fact that the city was the headquarters of the TVA, the vote was light and the margin of victory narrow. Now the project is held up in the courts, and the city is going ahead with plans to build its own plant.

But in Memphis the victory was 32,735 to 1,868. Had a $2 poll-tax law not been in effect, the measure would have passed by 50,000 votes. And a strange victory it was! Veteran battlers against the power trust were treated to the amazing and interesting spectacle of (1) a city boss cracking the whip, and ward heelers rushing to line up the vote against the Fat Cats; (2) a power company refusing to put up a fight, knowing that the man it had licked twenty years ago was now at the head of a powerful city machine, the like of which the South has never seen.

The man is Edward H. Crump, Congressman and head of the Shelby County Democratic organization, and the power firm is the Memphis Power and Light Company, subsidiary of the National Power and Light, which is in turn controlled by Electric Bond and Share. To the two holding companies the Memphis unit has paid more than $9,000,000 in dividends since 1923.

Nearing sixty-four now, tall, white-haired, shaggy-browed, Edward Crump is the most admired and most hated man in Tennessee. Since 1928 his machine has been impregnable, piling up votes in State, national, and city elections of four or five to one. On the TVA question for Memphis, Crump had kept silent for some months. His decision was awaited with the keenest interest, for it was well known that the machine could carry the issue to either victory or defeat by a decisive margin. Those who expected Crump to line up with the power trust pointed to the fact that several of those high in the organization, including the Mayor, were or had been associated with utility law firms.

Yet this expectation took no account of an incident that happened twenty years ago. Then Crump was Mayor. He had been elected on a municipal-ownership platform. He had even put his program through the Legislature. Then the power trust made a counter-attack. Having failed at the polls, it went into the courts with the charge that the laws against liquor and gambling were not being enforced, and by an ouster suit directed at the Mayor removed him from office. That proved to be little more than a gesture. Soon Crump returned to power with dummy mayors. His influence was felt at Nashville, where Frank Rice, his chief lieutenant, sat in the gallery of the Legislature and directed the Memphis delegation on the floor of the Assembly by the pounding of his gold-headed cane. The pounding of that cane was the voice of Ed Crump.

Today Crump, by alliances with the Nashville and Chattanooga machines, dominates the State and controls the Governor. And it was to the Governor, Hill McAlister, that Crump sent his famous telegram: "Let's have the TVA wire in every city, town, and farmhouse in the State." The utility and holding-company boys knew then it was all over. But to make assurance doubly sure, Crump determined that this time there should be no pretext to oust the city administration. He passed along the word that hereafter the police commissioner "would be police commissioner," and that no interference would go. The hint was enough. At once the police cracked down on bootleggers and gamblers who had been permitted to thrive for years, liquor jumped in price, motion-picture palaces which had been defying a State Sunday-closing law were haled before a new grand jury and told to behave or go out of business. They behaved.

Then the machine swung into action. Banners, bands, mass-meetings, ward meetings, telephone calls, house-to-house canvassing, radio broadcasts, even fake fights in the streets to attract crowds for TVA speakers were a daily occurrence. Nothing but continuous newspaper advertising was overlooked, and that was not needed. The Scripps-Howard *Press-Scimitar*, largest evening paper in the South, had been hammering away for the TVA for a solid year. The editor, Edward J. Meeman, who had come to Memphis from Evans-

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ville by way of the editorship of the Knoxville *News-Sentinel* had almost a daily editorial on the need of cheap power. To the constant hammering of this vigorous editorial campaign was added brilliant reporting by Null Adams of the *Press-Scimitar* staff. Day after day the paper challenged the citizens to end power-trust exploitation and take advantage of the President's TVA "yardstick." Exhibit No. 1 was a front-page photostatic reproduction of power and light bills in Tupelo, Mississippi, before and after the coming of Muscle Shoals power.

Memphis now awaits only the completion of the Norris Dam, which is expected to be finished in a year and a half. Meanwhile the city has time to build its own plant should the private monopoly make a fight in the courts as it did in Knoxville.

"When the wires come into Memphis loaded with TVA electricity," said Crump in his only pre-election newspaper advertisement, "there should be an all-day celebration and rejoicing, a thrill I have been waiting for." There will be such a celebration, and it will be a tribute to that phenomenon in American politics—a machine boss whom the power trust could neither buy nor intimidate.

The Future of EPIC

By UPTON SINCLAIR

Pasadena, November 15

WHEN I write for *The Nation* I feel that I am speaking to friends all over the country. I will tell you what has happened out here in California, and what is coming next. First, a personal word: I am not the least bit discouraged. Away back in my days as a struggling writer I made a rule that whenever I sent a manuscript to an editor or a publisher, I counted it rejected. Nearly always I was right, and I was saved much disappointment. I learned in the course of the campaign that being Governor would be a killing job for a person of my temperament. I was willing to be a sacrifice, but when I am told that I don't have to be I am not obliged to worry.

What beat us was money, then more money, and still more money. All the banks, the public utilities, the big corporations contributed, and many forced their employees to contribute. I do not know how much they raised altogether, but Albert Parker, member of a big law firm in Los Angeles, wrote to a friend in New York telling how he had raised more than a million dollars for one organization, and had sent out six and a half million pamphlets and put up two thousand billboards. Mr. Parker went on to tell how he had taken to our district attorney a proposition to have the grand jury bring secret indictments against our voters and thus terrify them so that they would not come to the polls. The authenticity of this letter has not been denied. The district attorney has since been indicted, but not for this offense. Mr. Parker has not been indicted.

The amount of lying and dishonesty in this campaign exceeds belief. In the course of a month or two I shall send you a book entitled "I, Candidate for Governor: And How I Got Licked." The documents will be in it, and you may see what money can do in America and what it is prepared to do when its power is threatened.

My most vulnerable point in the campaign was "The Profits of Religion." This book was written seventeen years ago, during the World War. It is described as "An Essay in Economic Interpretation . . . A Study of Supernaturalism as a Source of Income and a Shield to Privilege." It is an extremely bitter book, the bitterness being directed against those who have abused religion by turning a great proletarian martyr into a stained-glass-window deity and a sanction for capitalism and war. But by taking passages out of their context or leaving out words or stopping a sentence in the middle, it was possible to make it appear that I was attacking all religion and ridiculing all practitioners of religion. When you have twenty or thirty such garbled extracts made into a pamphlet, the result is rather terrifying. I would patiently point out the misquotations and explain my real meaning, but it did very little good, because you cannot follow up six and a half million pamphlets—one for every man, woman, and child in the State of California.

I had supposed that everybody knew I was a Socialist, not a Communist; but the ruling classes of California would have it Communist. They got their "evidence" from a book called "The Red Network," which was published just before the campaign started. The book listed among the "reds" of America Mrs. Franklin D. Roosevelt and Mrs. Louis D. Brandeis. I supposed that would be sufficient to make it ridiculous, but it appears that a large percentage of our voters are ready to believe that both of these ladies are agents of Moscow, just like Upton Sinclair.

This book lists me as a member of a number of red organizations of which I never heard. For example, I am said to be secretary of the "Revolutionary Writers' Federation." It was futile for me to state that I have never been the secretary of any writers' federation in my life. I have been a federation all by myself, and have needed several secretaries. But there was no way to get that to the readers of six and a half million pamphlets.

The enemy went even farther than that—they faked Communist leaflets in my support. On the Sunday before the primary there appeared in front of hundreds of churches all over California boys with armloads of leaflets having my photograph alongside the red flag, and containing an appeal to the voters for me in the name of the Young People's Communist League—a non-existent organization. We ascertained who had prepared these leaflets and exposed the fraud many times, but it went on appearing all over the State, and at the climax of the campaign the supposed-to-be-respectable New York *Times* published a dispatch from Los Angeles solemnly listing this fraudulent circular among the evidences of Communist support of Upton Sinclair's candidacy! And this while the real Communist organ, the *Western Worker,* was describing the EPIC Plan as "one more addled egg from the blue buzzard's nest."

I could tell many stories such as that. I could tell how up in San Francisco the supposed-to-be-respectable *Chronicle*

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published a forged photograph of myself. The point was that I was supposed to have moved out of a very elegant home into a humble cottage in order to pose as a Democrat during the campaign. They came to my real home and took a photograph of me sitting on my front porch one Sunday morning. They then cut out this picture of myself and my rocking chair and superimposed it upon a photograph of a little cottage which at one time had been occupied by my secretary, and of which I had used the front room as an office, paying part of the rent. To make matters look worse, they had set out an ash can on the sidewalk, turned over on its side.

Money was free in California during the last two months of the campaign. Every SERA worker could come into Merriam headquarters and get three or four dollars per day campaigning; while every SERA worker who campaigned for the wrong candidate lost his job. Over the radio the hired orators shouted all day and most of the night. An ex-pugilist turned preacher—his name was Thomas and our people called him "Shouting Thomas"—read affidavits to the effect that I had trampled upon the American flag at San Pedro, that I had cursed the flag and the Constitution, and that when forty-eight sailors were killed in an explosion on the battleship Mississippi I had expressed the wish that it had been forty-eight hundred.

On the Sunday before Election Day every Negro preacher in Los Angeles received fifty dollars to preach a sermon against me, and Aimee Semple McPherson, who is supposed to belong to the white race, was hired to put on a pageant representing the dark and sinister Communists tearing down the flag and undermining the pillars of the Constitution. I am told that at this same performance in the Shrine Auditorium one preacher read a long series of passages from "The Profits of Religion," not knowing that they were the words of Christ Jesus rewritten in modern terms.

This venality went all the way to the top. A Democrat who publishes a weekly paper asked for an interview with me, offered his support, and tactfully informed me that he would like to be State engineer and also chairman of the Democratic Party of California. I told him that we were not selling the State of California to anybody; and so after a few weeks he came out for Merriam and published an incredible mass of lies about me, also a pamphlet novel telling of the horrors I would perpetrate, with a hairy monster supposed to be a Bolshevik on the cover. Colonel William Neblett, law partner of Senator McAdoo, came out valiantly in my support immediately after the primary. He then served a demand to become State chairman, and when he was informed that our campaign committee had chosen Culbert Olson, candidate for State Senator, Colonel Neblett issued a manifesto stating that I was preparing to turn California over to communism, and therefore he had become a raging opponent.

The *Literary Digest* came out with a poll showing that I would get only 25 per cent of the vote. This of course shifted the betting odds and did us a great amount of harm. As a matter of fact, I got about 38 per cent, and Merriam, to whom the *Digest* gave 62 per cent, drew less than 50 per cent. I will leave it to the *Digest* to explain how this happened, and will merely report what our workers told us, namely: (1) that some of the Merriam headquarters were paying twenty-five cents a piece for *Digest* ballots; (2) that a certain postmaster made note of all the names to whom *Digest* ballots were addressed in his town and gave that list to our workers, who checked up and found that 75 per cent were registered Republicans; (3) that the superintendent of a certain large industry in Los Angeles had two hundred *Digest* ballots to distribute among his people.

The great commercial newspapers of California are now proclaiming me a "poor sport" and a "bad loser" because I failed to congratulate Merriam on his victory and said that within six months we would recall him. My answer is that this is not a game I am playing, and there is no sport about it. It is a matter of life and death to a million and a quarter human beings who are living on public charity in California. I tried to help these people out of hell, and I am not exchanging greetings with any of the men who showed themselves liars and scoundrels in this campaign.

Our EPIC movement is going on. The election was just a skirmish and we have enlisted for the war. In the four days which have elapsed since the election we have held the most enthusiastic meetings yet, and if a single person plans to quit I have not heard of him. We more than doubled our vote in the primaries and think that is a great victory. We are the Democratic Party of California and we are going to stay that.

We have elected two State Senators and more than a score of Assemblymen definitely pledged to EPIC. The next session of the Legislature will begin in January and it will be worth watching. We have Governor Merriam in a tight place, for in the last terrified moments of the Republican State Convention, realizing that they had to dress the old gentleman up as a progressive, they put into their platform a demand for the thirty-hour week. Now we shall bring that proposal before the Legislature and start a recall proceeding against every Republican who repudiates the platform pledge. That will include Merriam and it will be fun to watch him squirm.

Up and down the State I told the people that our plan of production for use was bound to come, regardless of who won the election. Imagine my amusement when two days after the election Merriam came out with an interview saying that while he did not believe in barter as a permanent system, it might be that it was the only way to make the unemployed self-supporting at present, and that personally he would favor it. If you are interested, you may look in Professor Moley's magazine, *Today*, and find me making that same statement on October 27.

I called at Governor Merriam's office six months ago and offered him the EPIC Plan and urged him to put it into effect. He smiled politely and declined. But now apparently our 875,000 votes have set him thinking. If he will put our plan into effect, it is all right with me. Thirty years ago I wrote that "the business of people with ideas is to have them stolen."

Anyhow it is going to be put into effect, because we have the initiative in California, and our lawyers' committee is now drafting the measure, and our people are aching for a chance to go out and get signatures. We are going on with our paper—the presses are running as I write, and committees are coming in from all over the State clamoring that we must make it a daily. The people of California are awake as they have not been in my time.

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What Business Men Think

III. Grab the Torch, Men of Means, Grab the Torch!

By MILO PERKINS

Houston, Texas, November 10

MY partner and I own our own business. As a member of our national code committee I have had a chance to see more of the New Deal than would otherwise have been the case, and like most business men I have thought more about our national problems this past year than in all the previous years of my life combined. Not only did the depression threaten our own company, but in March, 1933, I wondered if the whole capitalist system had not permanently fallen of its own weight. Of course there has been a marked recovery, but to be honest about it, the leadership has come from the federal government and not from either industrialists or financiers. Capitalism has been helped by stronger hands than its own, but its place in the civilization of tomorrow is by no means assured.

It faces two dangers between now and early January when the new Congress convenes. One is political and has to do with office seekers who are presuming to speak to the country in its name. The other is more serious and has to do with the lack of progressive leadership within our own ranks. After all, as a class, we business men are offering no program of action to the American people which would make tomorrow seem more attractive than today. We who have done such an amazing job of selling the public everything from soap to radios are failing miserably in selling ourselves. Small wonder people sometimes turn in strange directions for their inspiration.

At the moment we are suffering a dangerous loss of prestige at the hands of politicians who would regain their lost offices by speaking to the American people in the name of "sound business." Most of their appeals are so infantile and emotional that they are an outright insult to the intelligent voter. This talk about a Communist brain trust trying to undermine American institutions comes from political nursemaids who are trying to frighten us American children with stories about a new many-headed bogy man. Every big corporation has its engineering department and its research men, and every general manager throws away more of their suggestions than he uses. But he puts out good hard cash for those he keeps, because it pays. The public has sense enough to know that President Roosevelt is doing the same thing, and they expect the policy to pay dividends to the people. It is equally silly to tell the average voter that the New Deal has deprived him of his constitutional rights. He knows Congress has not tampered with his religious freedom, or permitted the quartering of soldiers in his home. He can still buy the Milwaukee *Leader* and the *Wall Street Journal* from the same newsstand anywhere in the country.

So much for the average voter. The citizen who is a little better grounded in American history knows perfectly well how flexible a document the Constitution really is. He knows that it was born of compromise, two rival State plans having been thrown aside for the compromise draft of a third State. (Probably it was not very different from the way in which most of our codes were drawn.) The Tories of those early days were sure the Constitution wouldn't work. They were sure no President once in power as commander-in-chief of the army would ever step down for a popularly elected successor! But the American people have amended the Constitution whenever the majority wanted to, and although the Supreme Court is intrusted with its interpretation, the voters have twice passed amendments as a result of dissatisfaction with the court's decisions. Really all that has happened in the last year and a half is this: a strongly individualistic President has made strong recommendations to Congress, as he is instructed to do in the Constitution, and our duly elected representatives have passed most of the measures recommended. All of them are subject to interpretation by the Supreme Court, and if that body should kill the entire New Deal we could again, as we have twice in the past, amend the Constitution to permit the reinstatement of the program if the bulk of our people desired it.

Nor is the average voter likely to worry over the fact that a twenty-dollar gold note is no longer good for twenty dollars in gold. He had a hard enough time getting and keeping paper dollars back in the days when he could have demanded gold. He knows that the chief advantage of having bullion instead of currency lies in the power it gives a man to leave the country unhurt if a crash comes. The ordinary citizen has neither the resources to make that temptation real nor the inclination to return to some country which his forefathers left to come here. And he rightly mistrusts the anxiety in his behalf on the part of politicians he has never seen.

Of course we capitalists don't indorse such nonsense as a group. A few diehards resent the minimum-wage provisions of the NRA and feel that their "rights as employers" have been denied them, but the vast majority gladly relinquished the "privilege" of having to pay less than a decent wage to avoid bankruptcy. Those who did not must be drunk with arrogance to imagine that the people they would oppress can be persuaded to perpetuate their tyranny. If the capitalists of the country don't wake up and use some of the brains which have been used to amass millions to work out the human problems which confront their fellow-Americans, then Mr. Roosevelt's opposition will come from the extreme left which wants to abolish the whole system, anyway. Possibly that is just what private ownership has coming to it, but I hope not; I'm prejudiced.

The day is gone, however, when those of us who have can turn our backs on those who have not. This twentieth century has no charm that I know of which guarantees any

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permanent connection between our heads and the bodies that have grown accustomed to supporting them. Because the markets are up from the levels of March, 1933, we capitalists are not awake, as a class, to the crisis which faces us. Men and women have a right to jobs that are interesting and homes that are fit for their children. The whole private ownership of production is failing as a system to provide those fundamental things for our people. Revolution has been averted by government help for the unemployed, but if capitalism is unable effectively to work out a program which will solve these problems, our people will demand their solution from other sources. Every child knows that we have the resources and the machinery to raise our standard of living enormously if things were properly managed.

We capitalists are squarely faced with this question: Are we competent to do the managing? Let us look at ourselves, before it is too late. As a class we own the means of production. We acquired this machinery over a period of about seventy-five years. During that time the population was growing, the frontier was moving west, and the demand for railroads, homes, and new factory equipment kept the wheels turning at a good profit. We put most of that profit back into more factories to make more things for more people, and stimulated their wants through advertising. It is we who have spent billions building up this hunger for a higher standard of living. It is we who got away from the pay-as-you-go basis and invented instalment credits to keep our own plants running. The common people had nothing to do with it. We promoted a finer standard of living than civilization had ever seen, not because we were altruistic, but because we wanted to keep the plants we owned at work. The relatively abundant distribution of both luxuries and necessities up to 1929 was incidental to our ambition. This is not an appeal to altruism; it is an appeal to pocket-books. Machinery is valuable if you can turn the wheels at a profit—otherwise it is a junk pile.

There's a bit of irony in one of our difficulties. We have made the success stories of our leaders so alluring that each year produces its crop of rugged young industrialists who start small plants, economically operated, and pour more goods into markets already glutted with surpluses. The fact that such concerns can often undersell their unwieldy competitors is only the immediate difficulty. The real one is that more wheels have been permanently added to the national productive machine, which is already suffering from fifth-wheel paralysis.

There is beginning to arise a new and more serious threat to the means of production which we as a group have controlled. It is part of the government program to make the unemployed self-supporting. Machines are being installed to supply needs, not to produce for profit. Economy is a good argument for such projects since they will be much less of a drain on the public treasury than the PWA or a dole. Legally, men and women out of work are surely within their constitutional rights if they form groups and supply each other with food, clothing, and what-not on a sort of barter and work-for-use basis. The movement is embryonic, but it may spread like prairie fire. Only a vigorous offensive can turn the tide—not an offensive against such tendencies, but the driving forward of a constructive plan which will dissipate them because it will absorb them. We capitalists need to learn what the pioneer industrialists knew, what every West Point cadet has hammered into him, namely, that "the offensive always wins." The capitalist system can be destroyed more effectively by having men of means defend it than by importing a million reds from Moscow to attack it. Unless we work out a program so simple that children can grasp it and then carry the fight for its adoption to the front-line trenches, we'll be museum pieces in fifty years.

The majority of our customers have always been found in the group working for us. On the whole they have spent their earnings of one week before the next Saturday night rolled around. The so-called white-collar class has made much the same contribution on a monthly basis. During our national childhood the rapidly growing population moving west into new country did whatever else was necessary to make the ownership of factories profitable. But America is growing up, and therefore growth in numbers is slowing down. The continent has been colonized. We have learned how to harvest our wheat with fewer hired hands than we needed twenty years ago. We have perfected amazing clerical machines such as those I saw in the Westinghouse plant last month. The photo-electric cell is more efficient than dozens of office employees. Our newest factories boast a plan of production through electric controls which comes pretty close to dispensing with human labor altogether. Not much need for company unions or any other kind in such plants. Open-shop fanatics may gloat over the achievements of their brain trust, but only the stupid can feel secure. We capitalists, aided by science, have reduced the number of men to whom we need to pay salaries or wages. They are off our individual pay rolls, but they are also lost customers for capitalism as a system. We have deprived them of income in a civilization where money is needed to buy what one wants. It can't go on. Plants cannot be run without customers, and customers cannot buy without money from capitalists trying to turn their wheels at a profit.

That logic is beyond challenge when capitalists and their wage-earning customers are viewed as two national groups. As individuals we are as helpless as the workingman was before the days of the union. Each of us is tethered to the post of his own business, and no one man's rope is long enough to give free range over the entire country. Only the rope of capitalism as an institution is long enough to do that. Therefore we capitalists must unite on a program which we can present to the nation. But if we do organize such a project, let us not fall into the fundamental error of organized labor. They fought us, their wage-paying employers, instead of fighting for an improved social order. Let us not fight them, our wage-earning customers, but let us fight for a program which will enrich the whole country. We who have fought our way to the top of this commercial civilization are supposed to be more intelligent than those who work for us. It's time to prove it. Our resourcefulness is being put to the last test. Either we must develop the ingenuity to finance those who want to work for us so that they can buy from us, or we shall live to see them employed in such a fashion that they can get what they want for their work from other sources.

Capitalism should *fight* for a thirty-hour week and a flat 25 per cent increase in all salaries and all wages. That is the only way it can finance the working public so that they can buy the products it has machines to make. Any lesser plan, such as a 10 per cent decrease in hours and a 10 per

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cent pay increase will be a self-defeating compromise. It is destined to fail because it doesn't go far enough. The United States Chamber of Commerce should get behind this program. Capable speakers should present it everywhere to men's clubs and trade associations. Our only problem is to sell the plan to ourselves with the same aggressiveness which has put over the sales campaigns for our merchandise. We need not look for opposition outside our own group. Our workers will be enthusiastic; the public will once again respect our leadership; and Washington, from the President down, is likely to be responsive.

If we put such a proposition up to Congress, to be tried for two years as an emergency experiment, that body would surely grant us the emergency concessions necessary to protect us, such as the licensing of new industries in fields where overproduction could be proved. In return for that we should agree either to restrict profits or to pay liberal wage dividends. I know that is not the way we've been taught to think, but there is no use for unwieldy surpluses when there are no further large fields for expansion. Otherwise the same old cycle that ended in the depression will repeat itself. Higher wages made necessary by a rising cost of living, which must again be raised to meet the increased costs which include them, are not prosperity. We should take violent steps to avoid that process in our own self-interest. There is only one way to prevent it, and that is to see that the extra money paid out to more people is *kept moving,* and not permitted to pile up in the hands of the few who can find no profitable field in which to invest it. That is the price which capitalism must pay to perpetuate itself. Personally I think it's cheap; I know it's preferable to fascism or communism.

This plan will be opposed by diehards who will insist they can't afford to pay higher wages. The job of progressive capitalists is to move forward over such tories just as our forefathers moved ahead over their kind in the adventurous days of the Revolution. I know, too, that there will be opposition from the internationalists. They will charge that the program is nationalistic, which it is, and they will fight the necessary tariff changes which such a plan involves. I am in sympathy with this type of opposition; but I think it's just about a century too soon to stress it. We have fought tories and impractical idealists before. As we move forward to acept the challenge of our era, history will repeat itself. The opposition of the stand-pat conservatives will be a springboard from which we leap to a job which they cannot understand. Our railroads and our oil industry were launched in such a fashion by the rugged individualists of another day. They too took the jump with the warnings of conservatives and idealists ringing in their ears. But they had the common sense to let their sons work out those problems after the projects were started. We shall be worthy heirs of those pioneers if we follow our vision of adventure today with equal courage. It is our job to go forward to the building of a more democratic and therefore a more splendid America. That work can be done with such vigor as to give back to rugged individualism its place in the sun. But it must be undertaken by men who are conquerors to the core, by men of power who love to fight on the offensive—and win. Grab the torch, men of means, grab the torch!

[*This is the third of a series of four articles by business men, discussing various aspects of the New Deal. The fourth, by Edward A. Filene, will appear in an early issue.*]

In the Driftway

LAST week the Drifter pointed out what seemed to him the immorality of foods out of season. He remarked on the fresh asparagus and raspberries he had eaten in November and rejoiced that sweet corn had not yet appeared in New York markets except when neighboring gardens permitted. Now he has learned about Frozen Foods, and he is ready to throw up his hands. Although it is a fact too sad to contemplate, it seems that even the cherished yellow corn can be treated to some mysterious Arctic process almost in the row, and can thereupon be shipped for months afterward to hungry diners any number of miles away. The Drifter has not tasted it nor will he. But plenty of other persons, with less violent prejudices, have done so and pronounced it indistinguishable from the more seasonable product. Nor is this the worst. The ears are whole, to be sure, but like the frozen beans and blueberries and spinach, they are washed and hulled or sorted or whatever is necessary to make them ready for the pot. The next step, of course, is food pellets. The Drifter has no doubt that such perversions of the art of eating are already being invented, and they will appear, round and ready for swallowing, colored red for strawberries and green for peas to satisfy the vestigial taste of poor city dwellers.

* * * * *

THE Drifter has listened, in the past decade and a half, to the usual number of horrified declamations on the decline of the home in the Soviet Union. But none of the Russian proposals for bringing up children in public nurseries or feeding families at the factories where both father and mother are employed seem to him to threaten the home as seriously as the multifarious devices adopted by American industry to make housekeeping simple. When the bread comes sliced, the spinach washed, the peaches ready to be thawed out and laid on the shortcake (which itself is all mixed in a carton and ready for the oven!), the decline of the household arts and the consequent threat to the home seem all too obvious.

* * * * *

THE Drifter remembers a conversation he had with a young woman some months ago, when an uncontrolled monetary inflation in the United States seemed more imminent than it does today. "Prices are going way up," she told him. "I wish I knew what to do about it. Men can buy enough clothes to last them for years, if they have the money. But it's harder for women. And for children it is quite impossible. Shirts that fit them now will be outgrown in six months, and sizes are so uncertain that it is too much of a gamble to buy larger ones for growing into next year." "You could buy cloth," said the Drifter timidly, "and make shirts as you needed them." The lady gave a pitying smile. "I could if I knew how to make a shirt," she said, "or a pair of knickerbockers. And you wouldn't expect me to buy a hide and cut shoes from it, would you?" The Drifter meekly said of course he wouldn't. But privately he remembered that a pioneer grandmother had done just that, along with spinning and weaving and baking and preserving and making

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sausage when a pig was butchered and hanging up hams and bacon in the smokehouse to cure. In those days there were no strawberries at Christmas, but the imperishable turnip furnished forth the winter feast and there were barrels of apples in the cellar for the vitamins that had not yet been heard of. Then, too, the family was very close and large, and one hears of rather considerable entertainment around the kitchen hearth in the evening, not unaccompanied by provender in large measure. But that was before the days of progress. Now we command our frozen sustenance by telephone from the corner grocery, and if we manage to stay home from the movies for an evening there is always the radio to take the place of conversation. The Drifter, being a fussy old crochet with an eye on the past, thinks it a pity. But since he is consistently outvoted, he is no doubt in the wrong as usual.

THE DRIFTER

Correspondence

Social Economic Planning

TO THE EDITORS OF THE NATION:

May we call the attention of your readers to the forthcoming Regional Conference on Social Economic Planning, under the auspices of the International Industrial Relations Institute, to be held in New York, in the Russell Sage Foundation Building, 130 East Twenty-second Street, from November 23 to 27? The theme of the program is comprehended in one large question: What kind of economic planning can end unemployment, establish security, and raise standards of living in proportion to productive capacity?

The theory and concepts of different types of planning—parliamentarian, corporative or fascist, and Communist—will be presented by Dr. Alfons Goldschmidt, economist, formerly of the University of Leipzig and later of the National University of Mexico. Against this background current European developments will be discussed. The economic program in the United States will be analyzed and evaluated by M. L. Wilson, Assistant Secretary of Agriculture, George Soule, and several others. Facts regarding employment and earnings will be presented by Isador Lubin, Commissioner of Labor Statistics; and Maxwell S. Stewart, associate editor of *The Nation*, will discuss world trends in employment and standards of living. The place of the second Five-Year Plan in socialist construction will be reported upon in the session on economic planning in the socialist state. Walter N. Polakov, consulting engineer, will analyze and interpret the unused technical and productive capacity of the United States, and the changes in the national income will be discussed by Simon Kuznets of the National Bureau of Economic Research.

The conference is designed primarily for those engaged in adult education on social-economic issues. Adult education is broadly defined to cover the work of those who teach, lecture, write, and organize activities which are educational in purpose and content. The membership of the conference is limited by the available space in the meeting place, but inquiry (addressed to IRI, Room 600, 130 East Twenty-second Street, New York) is invited from all who are interested. Preference must be given to those who can later use the material of the conference in educational work.

M. L. FLEDDERUS, Director, IRI
MARY VAN KLEECK, Associate Director

New York, November 8

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Labor and Industry

Once Again: Western Unionism

By HERBERT SOLOW

THE man on the Minnesota street or farm regards a Republican as a self-confessed horse thief, and a Democrat as an accessory after the fact. When the Governor—the country's only "third party" State executive—steps on union labor's toes, he feels obliged to apologize. Congressional candidates try to catch votes by attacking scabs in the street. During the drivers' strike in Minneapolis an attempt to organize a vigilante group failed utterly.

In this section there have been in the past many types of radical unionism. The great Western Federation of Miners arose not far away; Mesabi Range in the northern part of the State was the scene of a famous labor struggle; the I. W. W. and, just across the Canadian border, the One Big Union made labor history; the "Seattle plan" for transforming the A. F. of L. into a militant organization won substantial support in Minnesota. Today in this State there are developing simultaneously a current within the A. F. of L. friendly to the ideas of industrial unionism and militant struggle and an interesting phenomenon outside the official trade-union movement. The future of this new native growth, the Independent Union of All Workers—which has points of resemblance with both the I. W. W. and the O. B. U.—will be important for trade unionism throughout the West.

Austin, Minnesota, is a typical Western one-industry town. Of its 14,000 inhabitants, largely Scandinavian and German, 3,200 are employed by the Hormel packing plant. Everyone in town depends directly or indirectly on Hormel, the country's seventh largest packing system.

When the depression came, the workers bore the brunt. The constant presence of hundreds of unemployed in the town, as well as of a vast contiguous rural labor reservoir, encouraged abuse. The speed-up was introduced. Weekly pay checks of $5 became common. The hourly rate for common labor (60 per cent of the Hormel force) fell to 32½ cents for men and to 20 cents for women. The most highly skilled were "lucky" to get 55 cents hourly, or an average annual wage of $800.

In Austin the railroad men alone had a union. The A. F. of L. packers' local never revived after its collapse in 1921. The A. F. of L. in general was regarded by Austin workers as worthless—a bureaucratic machine for collecting high dues. A small local group led by O. J. Fosso, a college graduate working for Hormel as a student of processing and marketing, and Frank Ellis, an ex-wobbly and packing-house hand, launched a new union. A week after it came into the open it had 2,500 members. Today every Hormel worker, and almost every other worker in Austin, belongs to the Independent Union of All Workers.

The principles of the I. U. A. W. are the following:

1. Mixed Unionism. A. F. of L. craft theory is consciously rejected. The basic unit in the organization consists of all the workers in one plant, such as Hormel's (industrial unionism), or of all in one craft in the case of barbers or carpenters. As in the O. B. U., all units in one city constitute a local, the only local in the city. The central union unites all locals.

2. Rank and File Control. "Any member or members contemplating any action of any kind whatever," state the by-laws, ". . . shall first present their case to the rank and file of the unit." Again: "No officer . . . can accept or sign a contract for the union until it is first submitted to the rank and file for their approval."

3. Home Rule. Each unit has full authority to deal with its special problems; on general problems all act jointly. Decisions are made by the lowest units and passed upward. Executive action may be taken at the top only on the basis of such decisions. Sixty per cent of all income remains in the treasuries of the locals.

4. Union Democracy. The I. U. A. W. is a purely economic organization. All workers may join regardless of race, color, creed, nationality, political belief, or political affiliation. One might here mention the fact that dues are remarkably low (50 cents monthly for men and 25 cents for women), and that no officer may receive a salary higher than the wage of the best-paid union member. The unemployed, who are in separate units, pay no dues.

5. Militancy. Although not officially committed to any general social theory, the I. U. A. W. is a militant union. The fact that it played the leading role in launching a newspaper to compete with the bosses' press indicates something of its fighting nature. A more graphic illustration was the three-day Hormel strike a year ago. Convinced that they could get nothing by further negotiation, the union struck for recognition, seniority rights, and a raise in wages. A picket line, commanded by a former army captain now a union member, surrounded the plant. A picked squad of forty men entered, shut off the refrigeration, and evicted all officials. The police dared not interfere; the sheriff called for volunteer deputies but got none. This being Hormel's only plant, the company's delivery contracts were jeopardized and suddenly it surrendered. The union and seniority rights were recognized, and after hearings before the State Industrial Commission the workers got a 10 per cent raise.

6. Non-Politicalism. Like the class struggle, non-politicalism is an unwritten principle of the I. U. A. W.; the union leaders, like those of the I. W. W. before them, are "indifferent" to politics. The result is that the rank and file are largely under Farmer-Labor domination. This did not prevent but confused their intervention when Olson's National Guard attacked the Minneapolis drivers' strike. There are indications, however, that this outmoded non-political attitude may yet be abandoned.

The I. U. A. W. sends out organizers only on request but it has already grown considerably. The Albert Lea local has won a strike against the gas company, and a 23 per cent raise for foundry workers after an eight-hour walk-out. The Faribault local has struck the Wilson packing plant, and has held out for almost two months against a company which, unlike Hormel, can shift business to plants

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elsewhere. Locals have been organized in Wisconsin, Iowa, and South Dakota. All told, the union has some 8,000 members. In such towns as Austin it is likely to be the chief labor movement for some time. The A. F. of L. will not send organizers to set up craft locals of half a dozen members, and the energy and reputation of the new industrial unionists is leaving the federation behind in large plants, such as Hormel's and Wilson's. In the largest cities, where the craft locals are deeply rooted, its prospects are meager, but its period of rapid growth is still far from having ended. The I. U. A. W. looks forward to uniting all independent unions in the country under its banner. It has no use for the A. F. of L. as such, but it is willing to cooperate with any labor organization really working for the rank and file. It has friendly relations with all A. F. of L. left wingers; it has as yet no contact with other independent unions.

This current, which has welled up irresistibly out of the Northwest's industrial soil as similar currents have done before, may yet find its way into the main stream of the American trade-union movement, without losing its radicalism. The I. U. A. W. is above all an expression of the deep-seated urge of American workers to organize and fight against their unprecedented misery, of the widespread feeling that trust is to be placed neither in God nor the government nor Bill Green. Along with such organizations as the Mechanics' Educational Society of Detroit, it may yet play an important role in reorienting the American trade-union movement toward a policy of genuine struggle.

Steel Town

By HAROLD J. RUTTENBERG

Pittsburgh, November 16

STEEL workers active in the outside union have been arrested, evicted, beaten, and railroaded in Aliquippa, Beaver County, Pennsylvania, by Jones and Laughlin company police, who are also borough police, ever since organizers dared to become active in the summer of 1933. The story of George Issoski, who was railroaded to the State Hospital for the Insane at Torrance as a result of his union activities, received wide publicity because of the intervention of Governor Pinchot in having him released. But it is only one of the more sensational incidents in a long record of intimidation. At this writing several other commitments to the insane asylum from Beaver County are being investigated.

The efforts of the Amalgamated Association of Iron, Steel, and Tin Workers to organize Aliquippa were futile until 1933. Two organizers were sent in by the union in July of that year. After five days both quit. They were unable to rent headquarters, were forced to live in Ambridge across the river, and were constantly watched by stool pigeons. Then Frank Dobbins, crack United Mine Workers organizer, with John Mayer, also of the U. M. W., tried to organize Aliquippa. Mayer held a small meeting of steel workers in a private house one evening in September, 1933. On the street later that evening two men stopped him and asked for a match. One of them knocked him to the ground, and the two then gave him a terrible beating and threw him into jail. He paid a fine, and with Dobbins gave up.

In March, 1934, the Amalgamated sent John Tefelski as an organizer to Ambridge. He made several contacts in Aliquippa and gradually got enough men together to form a lodge. In September a charter was issued to Beaver Valley Lodge No. 200. Soon it grew to two hundred members. The terrorism of Jones and Laughlin became more vicious, and the union asked for a hearing before the National Steel Labor Relations Board for October 4, charging intimidation and coercion, and asked for an election among the mill employees. On the date set Earl Reed, attorney for Jones and Laughlin, was busy in Wilmington for the Weirton Steel Company. His law partner, Roy Bostwick, appeared before the board and asked for a postponement, which was granted. But the men from Aliquippa who had come to testify told the board they were afraid to go home—afraid they would be beaten up. The board asked Bostwick if protection could not be given to these men. Bostwick replied it was a reasonable request. Then realizing that he had admitted there was need for protection, he asked leave to call his partner's client, Jones and Laughlin. After the call he announced that there was no need for protection, that the men's demand was a bit of stage play to prejudice the board against his partner's client. Nevertheless, eight State police were sent to Aliquippa that night for the protection of witnesses and all others asking for it. Moreover, they came from the Butler station, because Captain Jacob Mauk, of the Greensburg State Police station, is the brother of Harry Mauk, head of Jones and Laughlin's police and espionage system. The fact that State police had come to Aliquippa without advance notice to the company served to intimidate the company police, and no incidents occurred during their stay.

A little later, on October 14, Cornelia Bryce Pinchot, the Governor's wife, addressed the first labor meeting ever held in Aliquippa. Four thousand persons were present and the borough-company police directed the traffic. There has been an open meeting every Sunday night since, at which the audience has never been smaller than 3,000. The union membership has increased from 200 on October 4 to 3,800 at this writing; this number does not include unemployed, who are carried on a separate list. At the peak of production in June 8,000 men were employed, but the September pay roll showed 5,000. Aliquippa is now organized. The State police did the trick. Before October 4, wherever union men went in the attempt to rent headquarters, several company stool pigeons took up their stand outside and followed them from building to building. Real-estate owners were afraid to rent space to the union, and the union men moved only in a body. Harry V. Phillips, president of the union local, has sworn to an affidavit stating that two plain-clothes men whom he identified as company men attacked him on the edge of town close to the mill on the night of August 31, 1934, when he was on his way to work. They wrestled with him, but he managed to break away. His bruises were dressed at the mill dressing station. Martin Gerstner, financial secretary of the local union, was ordered out of his house in September, and was forced to move to Ambridge three miles from Aliquippa. Pete Chopika, employee of a soda-water company, swore in an affidavit that his boss fired him because he passed out union cards for the Amalgamated. The affidavit reads: "My employer who owns the company said he was sorry he had to fire me but Mr. Mauk [Jones and Laughlin police head] and the burgess of Aliquippa told him I was helping the union and that he had to protect

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his property or Jones and Laughlin would put him out of business." Joe Latone, Jones and Laughlin employee since 1906, told me he was dismissed on August 28. He said: "For only just one reason I was fired. I went to hear Mrs. Pinchot in Ambridge the day before. My boss he like me, I know it, but he had orders from the office to fire me." Jones and Laughlin started a company union in July, 1933. The bosses are promoting it with speeches in the mill now that the company's strong-arm tactics have been frustrated. "For seventy-five years," their argument runs, "your welfare has been in the hands of Jones and Laughlin. Don't put it in the hands of strangers."

Aliquippa is Europe recreated. I talked to many of the steel workers. Each one, when asked, will tell the story of a Negro who was killed by a Jones and Laughlin policeman about a year and a half ago for breaking into a house in the "white plan," the section where only bosses and officials live and where by an unwritten law no Negro, Italian, or Slovene is allowed. Many doubt whether the Negro was really breaking into a house, but the incident served to intimidate the workers. The entire town is divided into plans, or sections, according to nationality. The Italians live in plan twelve, the Negroes in plan eleven, the Welsh in still another. This development, in part, is traceable to the mill itself, where, for example, the tin department is worked almost exclusively by Welshmen, the first tin workers having emigrated from Wales to this country.

Today Aliquippa is an "open town" after many years of complete suppression in the interests of the company—for a long period voting places were supplied with Republican ballots only. Formerly one was likely to be kicked out of town by a cop for asking questions on the street about unions. The other day I felt comfortably secure talking to the steel workers themselves. The steel and coal operators in western Pennsylvania are losing their age-old grip on the company towns. Their control over the coal camps and steel towns became all the more concentrated in the early years of the depression because the company officials distributed private relief, Red Cross flour, and State and federal relief. The operators of course have dominated the State relief administration. In Bobtown, Greene County, a 400-family coal camp of the Shannopin Coal Company, subsidiary of the Jones and Laughlin Steel Company, the mine closed down without advance notice on August 29. Relief was delayed for two weeks. I visited the camp on September 9 and found general undernourishment and several cases of acute starvation. The miners charged that the coal company was using the relief administration to starve out their 100 per cent union. The Pennsylvania Security League managed to obtain an investigation of relief in the entire county, where until recently the relief administrator was a former coal operator. With the coming of the NRA, unions grew up overnight in coal and steel towns which had only known the open shop. In July, 1933, Nemacolin, Pennsylvania, a vicious company town of a Youngstown Sheet and Tube subsidiary, was opened up by the United Mine Workers. During the 1933 coal strike miners in many camps temporarily took over the administration of State relief through their own committees. Power began to change hands somewhat. Last fall in Duquesne, Pennsylvania, Cornelia Bryce Pinchot addressed the first labor meeting ever held there. It is a United States Steel town. She did the same in Vandergrift, another United States Steel town. Gradually the unions grew; this summer one could walk through most of the steel towns with some assurance of returning home safely. Now Aliquippa, one of the last strongholds of reaction, has fallen.

Walk-Up

By M. M.

THE swankiest office on the highest floor of the tallest New York City skyscraper is just a 102d-story walk-up when the elevator man goes on strike. And the real-estate owners of Manhattan are determined to prevent such an indignity at any cost—except the cost involved in recognizing a union and giving the elevator man and his fellow building-service employees a decent wage. According to one estimate, building owners are spending $20,000 a day in preparation for a threatened strike—the second within a month. Some 10,000 guards and strike-breakers recruited by such famous "detective" agencies as Bergoff, Bennett, and O'Toole are being retained at a dollar a day for themselves and another dollar for the agencies. If the strike is called, the lucky 10,000 will get from $6 to $8.50 a day for running the danger involved in taking another man's job. Meanwhile the city itself is contributing the services of an unknown number of policemen; they are posted in building lobbies to "protect" employees from those big bad wolves known as labor organizers, who are out to increase wages and shorten hours whether the employees like it or not. At present elevator men in apartment houses and hotels work from eleven to thirteen hours a day, six or six and one-half days out of every week, for which they receive from $60 to $75 a month. In the bigger office buildings they are somewhat better off, receiving sometimes as much as $25 a week with a nine-hour day.

Some 250,000 people in New York City are employed in servicing buildings. The Building Service Employees International Union, Local 32B, has enrolled about 40,000 of these workers. Early in November it conducted a successful strike in the garment district, where it had the strong backing of the thousands of organized garment workers, who would rather walk up than patronize a scab elevator. The new strike will be city-wide. As we write, the landlords have belatedly proposed a scale of minimum wages and maximum hours, but remain adamant against the closed shop.

Meanwhile the strike-breaking agencies are having a little labor trouble of their own. A near riot took place on November 5 when some 500 guards were not paid off according to schedule for their services in the first strike which had just ended. More recently 300 strike-breakers at another agency, becoming impatient because the second strike—and their $8.50 a day—had not materialized, tried to collect strike wages in advance. Guards who took part in the O'Toole revolt said that they had been recruited from out of town for strike duty. They also charged that during the melee they were handled roughly by other strong-arm men also employed by the agency. It is time the strike-breakers demanded from their employers assurances of protection from scab strike-breakers who go so far as to beat up non-union men. We suggest a company brotherhood with lollipops shaped like brass knuckles.

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Books, Drama, Films

Beard Turns Nationalist

The Open Door at Home. By Charles A. Beard. The Macmillan Company. $3.

IN many respects Professor Beard's latest volume is more ambitious than any of his previous works. Casting aside the role of historian and political scientist, he emerges into the maelstrom of contemporary thought seeking a solution for the economic and intellectual crisis which has thus far baffled modern statesmen and scholars. An outgrowth and an interpretation of his previous work, "The Idea of National Interest," the present book is unquestionably the most challenging and possibly the most significant analysis of the crisis yet written on this side of the Atlantic. Its importance, however, lies not so much in its inherent merit as in the fact that we have for the first time a mature, intelligible, and detailed statement of the "new nationalism," which heretofore has been a mode of action unsupported by scholarly theory.

At the outset Dr. Beard examines in detail several conceptions of national policy which have been advanced as solutions of our difficulties, and finds each of them fundamentally unsound. First he takes up the industrialist thesis: that American prosperity is dependent on obtaining ever-expanding markets abroad for the surplus goods and capital which are an inevitable by-product of the American economic mechanism, and that anything which contributes to the expansion of these markets is in the national interest. This he disposes of in a convincing if rather labored manner. He points out that it is based on the wholly unwarranted assumption that domestic demand is irrevocably fixed by the prevailing system of distributing wealth, and that this system is incapable of change. Moreover, he insists that any attempt on the part of the United States to expand its colonial possessions in order to provide an outlet for surpluses would bring us into open conflict with other imperialist Powers. And even if the policy could be pursued to a successful conclusion, he declares that it would merely lead to a growth in the urban proletariat and an increasing accumulation of wealth in the hands of the property-owning class.

In opposition to the industrialist program, represented in the field of practical politics by the Republican Party, is the so-called agrarian thesis, which has traditionally become associated with the Democratic Party. According to this conception, American surplus production can best be disposed of through a general reduction in the tariff and pursuit of a policy of international cooperation. This also assumes that existing surpluses cannot be disposed of by altering the distribution of wealth within the United States, and—all claims to the contrary notwithstanding—makes no contribution to the fundamental problem of eliminating these surpluses. While the doctrine of free trade may have been valid under the conditions prevailing in the early half of the nineteenth century, Dr. Beard holds that it is wholly unsuited to present conditions.

The fallacy underlying both of these conceptions, Dr. Beard maintains, is the belief in the existence of some kind of world system or world economy which must be reestablished before recovery can be attained. At one time, he concedes, the basis for such an economy did in fact exist. All peoples of the world were at the stage of a "vegetable civilization," as contrasted with a mineral or industrial era. The various nations could trade with one another on a substantially identical footing with respect to comparative costs and mutuality of benefits. But this situation has been completely altered, Dr. Beard insists, by science and recent technical developments. With their control over heavy industries and huge capital accumulations, the so-called advanced countries have come to "dominate the vegetable economies of the world and hold them at their mercy under a regime of free and equal commerce." To make the situation more serious, the industrial countries, in the process of their attack on the weaker and less organized vegetable economies, have brought severe pressure on their own agriculture and thereby created "an impasse in their own development."

It is impossible within the confines of a brief review to do more than suggest the weaknesses in Dr. Beard's thesis. When he attacks the anachronistic views of a passing generation, he is extremely convincing, but when he attempts to suggest a solution he becomes hopelessly entangled in the contradictions of our prevailing economic order. In denying the reality of an interdependent world economic structure, which is the central theme of the book, he is not only defying the opinion of practically all reputable economists, but he is flying in the face of facts so obvious that the average layman recognizes their validity. Nor does he present any evidence to support his contention. He simply shows that the self-adjusting mechanism of international laissez faire has broken down within recent years, and that it would be futile to try to restore it according to pre-war specifications. The cause of this breakdown, he points out accurately enough, lies in the maldistribution of income which is inherent in the capitalist system. But instead of abolishing that system entirely, he would tear apart the delicate organism of world economy in order that each of its component cells might be subjected to controlled laboratory experimentation. In practice, of course, such a step would greatly intensify existing economic maladjustments, with disastrous results to millions of individuals.

If Dr. Beard were only vague and confused, the "Open Door at Home" would not be such a dangerous book. But in coming out unreservedly for a nationalist solution to American economic problems he is playing directly into the hands of an incipient fascist movement in this country, which is certain to use, for campaign purposes at least, exactly the same arguments that he has developed. Moreover, it is evident that the United States, as a creditor country possessing a large share of the world's natural resources, cannot pursue a policy of economic nationalism without greatly accentuating the prevailing animosity and friction among nations. If the world is faced by the prospect of a continued diminution in foreign trade, the struggle for the control of basic raw materials is bound to be intensified, while competition for the dwindling markets will be doubly acute. The history of the past five years is ample confirmation of this fact. Even Dr. Beard appears to be subconsciously aware of this danger, for he gives an entire chapter to a consideration of national defense. While he apparently believes that an abandonment of our foreign investments—if it could be achieved—would reduce the danger of friction, he speaks of the necessity of "military defense against predatory nations" as a supreme and controlling consideration in national interest, and declares that it would be easy to defend the Republic "against any foes which such a policy [economic nationalism] might raise up against it."

Many readers will doubtless be at a loss to explain this sudden adoption of jingoistic phrases on the part of a man who has been as incisive and realistic as Dr. Beard in his analysis of American historical development. Possibly the reason is that suggested by the author himself in one of the early chapters of the book, where he points out rather cogently that history can be of little value as a guide to the formulation of policy, present or future, because historical developments contain the germs of their own decay. This point would seem to be amply confirmed by the conclusions arrived at in this volume.

MAXWELL S. STEWART

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As Honest as Possible

Autobiography. By John Cowper Powys. Simon and Schuster. $3.50.

THIS is not one of those autobiographies whose honesty can be tested by turning to other records. There are no other records. Mr. Powys has lived in a world of his own making, and it is that world, so fantastic and so artificially heightened, which he is interested in describing; though at the same time he is interested, naturally enough, in its Creator. What then of his claim that he has written an "honest" autobiography—as "honest," he insists, as Rousseau's? Obviously the test must be made internally. Does the book have completeness and consistency, does it *sound* honest? Does the author *seem* to be telling all he knows or thinks about himself?

My impression is that the book is almost as honest as it is possible for a book about oneself to be. Mr. Powys may have fooled me, but I venture to doubt it. And this is not for the simple reason that he has chosen to confess himself both ludicrous and evil. That is an old tradition in autobiography, and as everyone knows it is a form of boasting. Mr. Powys confesses his abnormalities in a unique way and for a unique reason —in order, to make a long story short, that we may understand the full extent to which he is a pretender, and then and only then that he may assure us of his satisfaction with the role. I say "pretender." His own word is "charlatan"—or rather, it is the word of those unfriendly persons whom he so frequently and frankly quotes. His brother Llewelyn's phrase for him, he says, is "spiritual insincerity"; his friend Louis Wilkinson's is "perverse and sickly falsity." Now Mr. Powys, of course, could recite such charges with the air of one who knows better and wants us to think differently. But he does nothing of the sort. He recites them, as he recites the whole painful and rather preposterous story of his life in England and America, in order first to make us aware how well he understands the appearance he makes before the world and then to admit that this appearance is something like the reality. It is not quite the reality, for this is no humble book, and Mr. Powys would not have lived otherwise for all the world. But it is the clew to his essential nature, which is that of an actor. Mountebank, impostor, and charlatan are simply synonyms for actor.

To sum up a book of 600 pages, Mr. Powys has *acted* as if the world were a more interesting place than it is and as if he were a more interesting man than he is. This explains, perhaps, why he is a poor poet and something less than a first-rate novelist, but it also explains why this "Autobiography" is so good. For just as the reader has begun to complain that everything here is overdescribed and overemphasized, and indeed to feel very certain that Mr. Powys is blowing up each incident or picture far beyond its natural size, Mr. Powys insinuates his awareness of all this and prepares to accompany the reader henceforth as a spectator of himself. The secret was buried, as a matter of fact, on the fifteenth page, where Mr. Powys says of his now famous father: "Never have I known a man with a more childlike sense of the incredible romance of his own existence upon earth. . . . He had only to link up any human being, any place, with the experience of his own life, and that person and that place assumed a curious fairy-like quality, *beyond normal reality.*" Well, that is Mr. Powys to a T, the only difference being that the son has existed more self-consciously than the father ever did, and hence that his life, while alternating between grosser extremes of ugliness and beauty, was in the end more capable of becoming known to us. That it is now made known in its own lineaments I have no reasonable doubt; or that it is of a deep, rich, enduring, and grotesque interest in itself.

MARK VAN DOREN

Anthology of Style

Modern Prose Style. By Bonamy Dobrée. Oxford University Press. $2.75.

UNDER a title that is misleadingly scholastic Bonamy Dobrée has written, in "Modern Prose Style," an immensely entertaining, a very instructive, and, I believe also, an important book. I say this somewhat unwillingly. Try as I may, I cannot think of "style" in itself as anything more at best than an incidental instrumental thing, and studies of "style" seem more or less fatuous when "style" is taken as an end in itself, as something above what is expressed and independent of it. The literary mind is not to me the most interesting of minds. Its predilection for the over-refined subtleties of feeling, its devotion to trivial and subjective niceties of form, its inability ever to express itself clearly in the domain of thought, are to me personally repugnant. A piece of writing is a historical fact. What is the fact? That, to me, is the premise and the problem of criticism. Whether a person enjoys the fact and why he enjoys it are to me relatively unimportant questions, because, whether one likes it or not, the fact is there, and the liking of it is again a fact, which had better, as a matter of method, be considered independently of the other fact.

And yet here comes Mr. Dobrée and almost persuades me to be a Christian. Not, as usual, that I care at all for his thought. I could cover a page, to my own satisfaction, with his contradictions formal or substantial, his tautological reasonings, his theoretical errors. Does he ever pass a judgment that is not replete with indefinable words, smudges of sentiment, "literary patter"? But there he is, dangling before one's eyes a challenging selection of what he calls "prose," and one knows in advance that it is going to be "good" prose culled by a tireless reader of unfailing discernment from a book in itself important. And as one matches one's analyses against Mr. Dobrée's, one finds the latter's mind gradually imposing itself upon one in the shape of that baffling thing called "authority," whose lead one trustfully accepts in these adventures among the mysteries of literary effects. That is always the revenge of the synthetic mind, with its vision, upon the analytical mind with its clarity.

Mr. Dobrée is writing of "prose" as form, as technique; and apart from some forgivable lapses he performs the highly acrobatic feat of sticking to his subject in the face of the lure of content. The test here would be the passage that is intrinsically vacuous but all the same "well-written"—I am thinking of G. E. Moore's disquisition on metaphysics, or the paragraphs in which Irving Babbitt with scowling resolve demands the right to go to Sunday school with Plato under his arm (that is the nearest to Babbitt's head that Plato ever got). There are many examples in Mr. Dobrée's book of what one might call a "pure" aesthetic. I note the fact and, as I say, very cordially admire.

This to me was the entertaining aspect of "Modern Prose Style." Instructive, instead, is the truly comprehensive view that Mr. Dobrée gives, as he sets out to give, of the use that is being made of English today in the law courts, in the stock exchanges, in scientific writing, among the artists. Mr. Dobrée gives us canapés of everything from Eddington to Joyce and Gertrude Stein. But what I find important is the parity with English stylists new and old that Mr. Dobrée convincingly and dispassionately accords to many of our Americans. Here are powerful paragraphs from Krutch, Mark Van Doren, Mencken, Sherwood Anderson, Lippmann, Dos Passos, Edmund Wilson, Willa Cather, and others still. It is a patriotic satisfaction to know, on Mr. Dobrée's authority, that our generation in America has such a generous share of immortals and that the American branch of English has gained full citizenship at last in the

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tradition of model English prose. If the publishers have printed this book with an eye on the schools, they have found a spirited textbook indeed. If it is aimed at the literary public, one may promise to anyone who reads it an evening of exciting intellectual enjoyments and no regrets. ARTHUR LIVINGSTON

The Last of the Liberals

C. P. Scott of the Manchester Guardian. By J. L. Hammond. Harcourt, Brace and Company. $3.75.

WHEN the World War crashed into peaceful Europe liberalism died. Even in England, where men rushed to the colors inflamed by the loftiest of ideals, the present government is guilty of an Incitement-to-Disaffection bill designed to prevent the spread of seditious literature among the armed forces. H. G. Wells, of "The War to End War" fame —how he must kick himself for coining that fatuous slogan!— has been so moved by this latest attack upon freedom that he has warned the government it is approaching that "complete suffocation" of intellectual freedom now being witnessed in Russia.

C. P. Scott of the *Manchester Guardian* was a great editor, a great man, far greater than most of his contemporaries. By comparison with the war-mad public, he shone with superhuman sanity. But even the sane, statesman-like, lovable man who emerges from Mr. Hammond's absorbing biography was not as great as his creed. He could not hold up liberalism in the hellish atmosphere of a World War. Invited to speak at a meeting of protest after the declaration of war, he declined. "I am strongly of opinion that the war ought not to have taken place and that we ought not to have become parties to it," he wrote, "but once in it the whole future of our nation is at stake and we have no choice but do the utmost we can to secure success."

In other words, he put his liberalism into cold storage for the duration of the war. True, Scott kept his head; the *Manchester Guardian* never became hysterical. It fought off conscription to the last ditch. It defended conscientious objectors against the jingoes. But liberalism sought the catacombs, emerging only in pamphlets, news sheets, and leaflets published by such organizations as the Fellowship of Reconciliation and the No Conscription Fellowship. Men like Bertrand Russell helped to keep liberalism alive until the government temporarily silenced them in jail.

Everyone has heard of Scott, the man who made a provincial English newspaper an international force, more powerful than some of the big London newspapers. Everyone knows that he never curried public favor. His liberalism—and the liberalism of his friend Lloyd George—was big enough for the Boer War. He denounced it even to the point of depreciated profits. Police had to protect his home and his office. He never lacked courage. He supported the World War because he had convinced himself that England was right. He suspended his liberalism as the churches suspended their Christianity. Liberalism and Christianity were too big for a world at war.

Scott's relationship to Asquith and Lloyd George, his attempts to bring these two men together when clash of temperament and viewpoint had driven them apart, make extremely interesting reading. He could never lose his faith entirely in Lloyd George, despite the fact that George often strained his loyalty to the breaking-point. On November 30, 1918, Scott wrote of him, "He has done more than any other man in public life to win the war," but two years later he was comparing George's treatment of Ireland to the German treatment of Belgium. When the Coalition government ended, Scott tried to pick up the pieces of the Liberal Party. He was not superman enough for that! On November 21, 1922, in reply to one of his letters, Lady Oxford wrote:

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> The good temper and wisdom of your letter has touched me. I feel very bitter about Ll.G.; this is the kind of character I mind most, because I feel his charm and recognize his genius; but he is . . . full of emotion without heart, brilliant without intellect, and a gambler without foresight. He has reduced our prestige and stirred up resentment by his folly—in India, Egypt, Ireland, Poland, Russia, America, and France—and has a genius for open questions.

Scott became editor of the *Manchester Guardian* in January, 1872, when he was only twenty-five; he retired in July, 1929. During those fifty-seven years he poured into his work as editor the moral fervor that would have gone into the Unitarian ministry had he decided that was the career for him. When he died, the whole of Manchester turned out to witness the funeral of this great citizen of Manchester and of the world. W. P. Crozier, who was appointed by Scott to the *Manchester Guardian* in 1903, contributes a fascinating chapter on "C. P. S." in the office, from the time he arrived, hatless, on his bicycle until the time he left for home. The bang of the door announced his presence to the staff. "A few moments later, having unpacked and handed over to a messenger two eggs, salt wrapped up in a screw of paper, milk, and, sometimes, an apple, all of which he had brought from home, he spread out the evening papers on his desk and was ready for all comers." The chapter tells those things one wants to know about the editor at work on his editorials, his relations to the staff, his strict views about the function of editor. "Thinking as he did of his function and that of his paper, he spared others as little as he spared himself. An autocrat, he would have said that it was 'the good of the paper,' not he, that made supreme demands." He won and held men's loyalty because he himself was so utterly loyal to the work he loved.

HAROLD BUTCHER

The Treasures of the Vernacular

A Dictionary of American Slang. By Maurice H. Weseen. The Thomas Y. Crowell Company. $2.50.

MR. WESEEN'S diligence is certainly praiseworthy, for he has got no less than 15,000 words and phrases into this collection, but it cannot be said that his critical faculties are shining. The term *slang,* as he uses it, seems to have an extraordinarily fluent meaning. At one time it apparently indicates the congeries of current (and usually transient) metaphors that commonly goes under the name among philologians, but at other times he extends it to embrace trade and class argots, the technical vocabularies of various arts and mysteries, common mispronunciations, and the general body of neologisms. On what theory does he hold that *A No. 1, boss,* and *close call* are slang? Or *chaw, snoot,* and *coupla*? Or *cold snap, eternal triangle,* and *dead as a doornail*? Or *moron, journalese,* and *Hoosier*? Or such painful artificialities as *Emersonthusiast, mound mainstay* ("the chief pitcher for a baseball team"), and *powerphobe* ("a person who fears the political power of public companies")?

But perhaps the title of Mr. Weseen's book is badly chosen, and he is really trying to present a glossary of contemporary American. If so, he has left out a great many very interesting words (for example, *ofay, realtor, motorcade,* and *beautician*), and included a great many more that are no more American than *cat* and *dog* are American. Indeed, he shows a painful unfamiliarity with even the most elementary literature of the subject. If he had given some hard study to the files of *Dialect Notes* and *American Speech,* to the recent supplement to the Oxford Dictionary, or even to Howard N. Rose's thesaurus for pulp-fictioneers, which I was reviewing in this place on September 19, he might have improved his collection enormously. As it stands, it must be used with caution, for though there is some valuable material in it, that material is very badly presented, and with it comes a lot of rubbish. Some of the definitions are almost howlers, as for example, "an uncouth person" for *leatherneck* (Tell it to the Marines!) and "the home of a newly married couple"—just that, and nothing more—for *lovenest.* There is no dating of the terms listed, and in consequence the innocent reader will never learn that *liberty cabbage* came in in 1917 and went out in 1918, that *to spruce up* was used by Sir George Etherege in 1676, and that *kid* for child goes back to Shakespeare's time.

The rather frequent appearance of such amateurish texts serves to call attention to the grave need for the Historical Dictionary of American English, under way at the University of Chicago since 1925, with Sir William Craigie, one of the editors of the Oxford Dictionary, in charge. Sir William has assembled a competent headquarters staff, and the General Education Board seems to be supplying a sufficiency of money, but there is apparently no rush of volunteers to do the heavy work of reading. When the Oxford Dictionary got under sail in 1859 a great many came forward, including not a few Americans, and with their aid the editors were able to amass a really gigantic body of materials, and to make the dictionary an almost perfect record of the language. But the Dictionary of American English is getting less support. One reason therefor, I suppose, is that most American philologues continue to regard the study of the national language as somehow *infra dig.* Their trade journals are filled with abysmal discourses on the grammar of Old French and the typographical errors on the Assyrian monuments, but it is seldom that one encounters an informed and useful discussion of the speech that all of us use every day. Such defective researches as that of Mr. Weseen only show how much remains to be done.

H. L. MENCKEN

Personalities of the Ballet

Balletomania. By Arnold Haskell. Simon and Schuster. $3.75.

THIS is the book of an enthusiast who has so personalized his enthusiasm that where it is not charming, as it frequently is, it is exasperating. A lot of information about personalities in the contemporary dancing world is imparted with all the ardor of a press agent for the particulars of the Monte Carlo Company. From a cursory reading one would gather that the troupe encompassed as many major artists as the original Diaghilev company of 1909. Such is not the case. Even more passionate apologists than Mr. Haskell, and such would be hard to find, cannot controvert the fact that the Monte Carlo Company is an echo of a great period, that its future, unless some unforeseen chance arises, is centrifugal, that its direction is unimaginative and sterile. Mr. Haskell pays no attention to the schools of Soviet Russia. He has four short pieces on the choreographers Nijinsky, Fokine, Massine, and Balanchine, which is an excellent idea by way of informing people how dances are designed; but in his effort to popularize the form of ballet he is superficial and particularly unjust to Nijinsky, calling him a great dancer but a bad choreographer. Nijinsky, nevertheless, more than Fokine, has been, whether we admit it or not, the greatest single influence on contemporary dancing, incomparably its greatest spirit and the real initiator of new forms. It was he who felt movement need have no pretext other than its own form to clear away ages of traditional encumbrance. It was he who at least indicated a direction toward spectacle with enormous social implications. He felt

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divertissement was too little for this great art to exhaust itself on. Mr. Haskell's book is entertaining and sincere and will interest many people. L. K.

Drama

Innocence and Ardor

LAST year when I was reviewing a play about the Brontë sisters I seized the occasion to make some general remarks about the literary man as hero. Writing, I said, was the most undramatic of occupations and the attempt to make a "curtain" out of the receipt of a clipping from the *Quarterly Review* doomed to certain failure. These generalizations still hold, I think, but "Brittle Heaven" (Vanderbilt Theater) is a nice little play about Emily Dickenson nevertheless. For this there are several reasons, among the most important of which are (a) the fact that it is primarily about Emily as a person rather than about Emily as a writer, (b) the fact that the story is largely invented, and (c) the presence of Miss Dorothy Gish in the leading role.

The authors, Vincent York and Frederick J. Pohl, have adopted the theory that Emily's secret lover was the soldier husband of a childhood friend and that he was killed in the war. There is, I believe, another to the effect that this not impossible he was a clergyman; but one theory is about as good as another, and that here adopted shapes naturally into the dramatic form. The important thing is to exhibit the character of the spinster poet and the adjustment which her ardent temper made to its prim environment. This the authors of the present play succeed in doing to no small extent, and their treatment is always intelligent as well as in excellent taste. Probably the best scenes are those in which one is made to realize the contrast between Emily's native wisdom and the limitations of her experience; her air of being a terrifyingly old child whose intelligence goes straight to the heart of a situation the incidents of which are uncomprehended. As for Miss Gish, she is an inspired choice for the role. She has the fragile beauty, the quiet strength, the gentle inflexibility which are its first requirements. She has also the power to suggest that sly mischievousness and that irrepressible humor which in Emily were almost as important as her genius was in differentiating her from the type of the mere village poetess.

At the Golden Theater the Abbey Theater Players are paying one of their frequent but welcome visits to New York. Their repertory includes plays by Synge, O'Casey, Lennox Robinson, and others, but the performance I happened to see was that of "The New Gossoon," a simple comedy of flapperism and flaming youth as they manifest themselves on an Irish farm. The author, George Shiels, is no Synge, but it is perhaps in plays of this kind that one best realizes the effectiveness of the Abbey Players' tradition. They have achieved the "folk quality" more successfully than any other group I have ever seen. The result is a richness and a warmth which make almost anything they undertake the occasion of a genuine experience for the spectator. Incidentally there is a simple program note which stands as the only monument to an important victory won by artists in a state which would probably be completely "totalitarian" by now if its inhabitants were not noted for a tendency to disagree even about the things they agree on. The note reads: "The Abbey Theater receives an annual subsidy from the government of the Irish Free State; the government does not interfere with, nor is it responsible for, the theater's repertory of plays."

"Dark Victory" (Plymouth Theater) is a romantic tragedy

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WITHIN THE GATES. National Theater. Sean O'Casey's modern miracle play with Lillian Gish. Received with rapturous applause to which mine was not added.

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about a Long Island beauty who found true love after she had learned that a brain tumor gave her only six months to live. Tallulah Bankhead is good as the heroine but the play depends far too much upon the mere sensationalism of the situation to count for very much. Such stories may furnish the occasion for interesting explorations of emotion, but they seem rather empty when they do not get much farther than the presentation of the situation itself. JOSEPH WOOD KRUTCH

Films

Fascism and the Screen

FASCISM, we are told, does not intrust the national culture to the clumsy and indelicate hands of the workers but to the more expert care of an intellectual elite—the writers, the artists, the technicians, the engineers. Certainly in those countries which have already embraced fascism there is some justification for this claim. In Nazi Germany, once such rank amateurs as Einstein, Thomas Mann, Toller, and Pabst were removed from the scene, culture was turned over to such distinguished ex-playwrights as Joseph Goebbels and Hanns Heinz Ewers, to such eminent philosophers as Alfred Rosenberg, and to Herr Hitler himself. Italy has been for several years under the dictatorship of a man who is not only a self-made novelist but also an archaeologist who can make archaeology interesting to the masses. There must also be in Italy here and there a few poets and professors who escaped that dictator's potion of castor oil, although their names do not readily come to mind. Beyond a doubt, fascism has established an alliance with culture in every country in which it has appeared. The only question is how fertile this alliance has been for culture, a question which can best be answered by an examination of the quality of its fruits. "By their fruits—"

One of these fruits is on exhibit this week on Broadway—an over-ripe offering entitled "Man of Courage," which is a dubbed version of an Italian propagandist film produced several years ago for the purpose of allowing Signor Mussolini to congratulate himself on the draining of the Pontine marshes. The subject, it will immediately be perceived, is similar to the favorite subject of the Soviet studios a few years back—the completion of a great industrial or agricultural enterprise. It is not, however, treated with the same concentration that marked the Soviet films about Magnitogorsk and the Dnieperstroy dam. Even the form of this production is affected by its spirit of heroic expansiveness. In the first part we are shown the situation in Italy during and immediately after the war. This is summarily indicated by a few scenes showing Communists halting railroad trains and passing out bribes to the misguided Italian electorate. Then, to an ear-splitting sound accompaniment, come the Black Shirts and their march on Rome. Several old newsreels serve to recall the entente between Mussolini and the Vatican. Everything seems as perfect as might be desired until, quite suddenly, we are plunged into the depression. For this, it becomes apparent, the French are principally responsible—the French who discriminate against Italian immigrant workers in Tunis. The closing scenes are a blast of noise and eloquence: modern skyscrapers spring up overnight on the ancient Pontine marshes, the army of eight-year-olds passes in review, and the voice of Mussolini drowns out the loudest drums and trumpets. Scattered at various points throughout is something vaguely suggestive of a plot—the story of an Italian soldier who recovers from amnesia in a German hospital only to walk straight into communism at home. But so seriously has the same sort of amnesia attacked the scenarists of this picture that its plot need hardly be mentioned. No more than limitation of subject does integration of story with theme seem to be a characteristic of the fascist cinema. The photography is technically on about a 1920 level, and the acting, including that of Il Duce himself, is grotesquely bad. If this is the best that the mother of the arts can send us in the way of a specimen of her culture, one must place one's hopes for culture elsewhere than in an alliance with fascism. The lowly field of the cinema at least has done much better by itself through another sort of alliance. And after such a windy flight as "Man of Courage" one turns to such examples of working-class "crudity" as the films of Eisenstein, Pudovkin, Ekk, and Vertov with a new appreciation. WILLIAM TROY

Contributors to This Issue

MITCHELL DAWSON is a Chicago lawyer.

HUGH RUSSELL FRASER is on the editorial staff of *Real America.*

UPTON SINCLAIR was defeated at the last election as Democratic candidate for Governor of California. He is the author of "The Jungle," "The Brass Check," and many other well-known books.

MILO PERKINS is a Houston manufacturer.

HERBERT SOLOW was managing editor of the daily strike bulletin issued during the walkout of the Minneapolis truck drivers last summer.

HAROLD I. RUTTENBERG, a student at the University of Pittsburgh, is active in the League for Social Justice.

MARK VAN DOREN will publish shortly a new book of poems, "A Winter Diary, and Other Poems," and a novel, "The Transients."

ARTHUR LIVINGSTON, associate professor of Romance languages at Columbia University, is author of "The Memoirs of Lorenzo Da Ponte" and translator of many of Pirandello's plays and stories.

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H. L. MENCKEN is preparing a revised edition of "The American Language."

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